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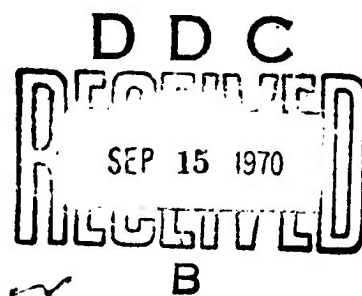


# United Nations Peacekeeping in the Congo: 1960-1964

An analysis  
of political, executive  
and military control

IN FOUR VOLUMES

Volume 3: Appendixes



prepared for the  
U.S. Arms Control and Disarmament Agency  
by Ernest W. Lefever and Wynfred Joshua  
of the Foreign Policy Studies Division  
of the Brookings Institution  
Washington, D.C.  
June 30, 1966

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### FOREWORD

This volume of appendixes has been prepared to supplement the report, United Nations Peacekeeping in the Congo: 1960-1964: An Analysis of Political, Executive, and Military Control (Volume 2), for the U. S. Arms Control and Disarmament Agency under contract RS-63. Ernest W. Lefever of the Brookings senior staff was the project director and principal author of the report.

Miss Wynfred Joshua, staff associate for the project, prepared the selected Bibliography. Mr. Lefever was responsible for the other appendixes. Lt. Col. Austin W. Bach, USA (Retired), assisted in the preparation of the military charts (Appendix H) and the military sketches (Appendix P).

H. Field Haviland, Jr., Director  
Foreign Policy Studies

June 30, 1966

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### Selected Bibliography



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SELECTED ARTICLES FROM THE UNITED NATIONS CHARTER

Article 2

4. All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.

5. All Members shall give the United Nations every assistance in any action it takes in accordance with the present Charter, and shall refrain from giving assistance to any state against which the United Nations is taking preventive or enforcement action.

7. Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII.

Article 22

The General Assembly may establish such subsidiary organs as it deems necessary for the performance of its functions.

Article 25

The Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter.

Article 27

1. Each member of the Security Council shall have one vote.
2. Decisions of the Security Council on procedural matters shall be made by an affirmative vote of seven members.

3. Decisions of the Security Council on all other matters shall be made by an affirmative vote of seven members including the concurring votes of the permanent members; provided that, in decisions under Chapter VI, and under paragraph 3 of Article 52, a party to a dispute shall abstain from voting.

Article 29

The Security Council may establish such subsidiary organs as it deems necessary for the performance of its functions.

Chapter VI: Pacific Settlement of Disputes

Article 34

The Security Council may investigate any dispute, or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security.

Article 36

1. The Security Council may, at any stage of a dispute of the nature referred to in Article 33 or of a situation of like nature, recommend appropriate procedures or methods of adjustment.

Article 37

2. If the Security Council deems that the continuance of the dispute is in fact likely to endanger the maintenance of international peace and security, it shall decide whether to take action under Article 36 or to recommend such terms of settlement as it may consider appropriate.

Chapter VII: Action With Respect to Threats to the Peace, Breaches  
of the Peace, and Acts of Aggression

Article 39

The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security.

Article 40

In order to prevent an aggravation of the situation, the Security Council may, before making the recommendations or deciding upon the measures provided for in Article 39, call upon the parties concerned to comply with such provisional measures as it deems necessary or desirable. Such provisional measures shall be without prejudice to the rights, claims, or position of the parties concerned. The Security Council shall duly take account of failure to comply with such provisional measures.

Article 41

The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations.

Article 42

Should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be neces-

sary to maintain or restore international peace and security. Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations.

Article 43

1. All Members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance, and facilities, including rights of passage, necessary for the purpose of maintaining international peace and security.

2. Such agreement or agreements shall govern the numbers and types of forces, their degree of readiness and general location, and the nature of the facilities.

3. The agreement or agreements shall be negotiated as soon as possible on the initiative of the Security Council. They shall be concluded between the Security Council and Members or between the Security Council and groups of Members and shall be subject to ratification by the signatory states in accordance with their respective constitutional processes.

Article 44

When the Security Council has decided to use force it shall, before calling upon a Member not represented on it to provide armed forces in fulfillment of the obligations assumed under Article 43, invite that Member, if the Member so desires, to participate in the decisions of the Security Council concerning the employment of contingents of that Member's armed forces.

Article 45

In order to enable the United Nations to take urgent military measures, Members shall hold immediately available national air-force contingents for combined international enforcement action.

The strength and degree of readiness of these contingents and plans for their combined action shall be determined, within the limits laid down in the special agreement or agreements referred to in Article 43, by the Security Council with the assistance of the Military Staff Committee.

Article 46

Plans for the application of armed force shall be made by the Security Council with the assistance of the Military Staff Committee.

Article 47

1. There shall be established a Military Staff Committee to advise and assist the Security Council on all questions relating to the Security Council's military requirements for the maintenance of international peace and security, the employment and command of forces placed at its disposal, the regulation of armaments, and possible disarmament.

2. The Military Staff Committee shall consist of the Chiefs of Staff of the permanent members of the Security Council or their representatives. Any Member of the United Nations not permanently represented on the Committee shall be invited by the Committee to be associated with it when the efficient discharge of the Committee's responsibilities requires the participation of that Member in its work.

3. The Military Staff Committee shall be responsible under the Security Council for the strategic direction of any armed forces placed at the disposal of the Security Council. Questions relating to the command of such forces shall be worked out subsequently.

4. The Military Staff Committee, with the authorization of the Security Council and after consultation with appropriate regional agencies, may establish regional subcommittees.

Article 48

1. The action required to carry out the decisions of the Security Council for the maintenance of international peace and security shall be taken by all the Members of the United Nations or by some of them, as the Security Council may determine.

2. Such decisions shall be carried out by the Members of the United Nations directly and through their action in the appropriate international agencies of which they are members.

Article 49

The Members of the United Nations shall join in affording mutual assistance in carrying out the measures decided upon by the Security Council.

Article 50

If preventive or enforcement measures against any state are taken by the Security Council, any other state, whether a Member of the United Nations or not, which finds itself confronted with special economic problems arising from the carrying out of those measures shall have the right to consult the Security Council with regard to a solution of those problems.

Article 51

Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

Article 99

The Secretary-General may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security.

Article 100

1. In the performance of their duties the Secretary-General and the staff shall not seek or receive instructions from any government or from any other authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization.

2. Each Member of the United Nations undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities.



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SECURITY COUNCIL AND GENERAL ASSEMBLY RESOLUTIONS ON THE CONGO

*Note:* This appendix, which includes the text, sponsor, and vote on each United Nations resolution, was reproduced from Catherine Hoskyns, *The Congo Since Independence* (London, 1965), pp. 484-496. The resolutions on financing the Congo operation are not included.

*A. Resolution Adopted by the Security Council  
at its 873rd Meeting on 14 July 1960<sup>2</sup>*

Sponsor: Tunisia.

*The Security Council,*

*Considering* the report of the Secretary-General on a request for United Nations action in relation to the Republic of the Congo,

*Considering* the request for military assistance addressed to the Secretary-General by the President and the Prime Minister of the Republic of the Congo (S/4382),

1. *Calls upon* the Government of Belgium to withdraw its troops from the territory of the Republic of the Congo;

2. *Decides* to authorize the Secretary-General to take the necessary steps, in consultation with the Government of the Republic of the Congo, to provide the Government with such military assistance as may be necessary until, through the efforts of the Congolese Government with the technical assistance of the United Nations, the national security forces may be able, in the opinion of the Government, to meet fully their tasks;

3. *Requests* the Secretary-General to report to the Security Council as appropriate.

[The Resolution was adopted by 8 votes to none, with 3 abstentions.

*For:* Argentina, Ceylon, Ecuador, Italy, Poland, Tunisia, USA, USSR.

*Abstentions:* China, France, UK.]

*B. Resolution Adopted by the Security Council  
at its 879th Meeting on 22 July 1960<sup>3</sup>*

Sponsors: Ceylon and Tunisia.

*The Security Council*

*Having considered* the first report by the Secretary-General (S. 4389 and Add. 1-3) on the implementation of Security Council resolution S/4387 of 14 July 1960,

*Appreciating* the work of the Secretary-General and the support so

<sup>1</sup> Excluding resolutions concerned with financing ONUC.      <sup>2</sup> S/4387.

<sup>3</sup> S/4405.

readily and so speedily given to him by all Member States invited by him to give assistance,

*Noting* that, as stated by the Secretary-General, the arrival of the troops of the United Nations Force in Leopoldville has already had a salutary effect,

*Recognizing* that an urgent need still exists to continue and to increase such efforts,

*Considering* that the complete restoration of law and order in the Republic of the Congo would effectively contribute to the maintenance of international peace and security,

*Recognizing* that the Security Council recommended the admission of the Republic of the Congo to membership in the United Nations as a unit,

1. *Calls upon* the Government of Belgium to implement speedily the Security Council resolution of 14 July 1960 on the withdrawal of its troops and authorizes the Secretary-General to take all necessary action to this effect;

2. *Requests* all States to refrain from any action which might tend to impede the restoration of law and order and the exercise by the Government of the Congo of its authority and also to refrain from any action which might undermine the territorial integrity and the political independence of the Republic of the Congo;

3. *Commends* the Secretary-General for the prompt action he has taken to carry out resolution S/4387 of the Security Council, and for his first report;

4. *Invites* the specialized agencies of the United Nations to render to the Secretary-General such assistance as he may require;

5. *Requests* the Secretary-General to report further to the Security Council as appropriate.

[The Resolution was adopted unanimously.]

**C. Resolution Adopted by the Security Council  
at its 886th Meeting on 9 August 1960<sup>4</sup>**

Sponsors: Ceylon and Tunisia.

*The Security Council,*

*Recalling* its resolution of 22 July 1960 (S/4405), *inter alia*, calling upon the Government of Belgium to implement speedily the Security Council resolution of 14 July (S/4387) on the withdrawal of its troops and authorizing the Secretary-General to take all necessary action to this effect,

*Having noted* the second report of the Secretary-General (S/4417) on the implementation of the aforesaid two resolutions and his statement before the Council,

*Having considered* the statements made by the representatives of Bel-

<sup>4</sup> S/4426.

gium and the Republic of the Congo to this Council at this meeting,

*Noting with satisfaction* the progress made by the United Nations in carrying out the Security Council resolutions in respect of the territory of the Republic of the Congo other than the province of Katanga,

*Noting*, however, that the United Nations had been prevented from implementing the aforesaid resolutions in the province of Katanga although it was ready, and in fact attempted, to do so,

*Recognizing* that the withdrawal of Belgian troops from the province of Katanga will be a positive contribution to and essential for the proper implementation of the Council resolutions,

1. *Confirms* the authority given to the Secretary-General by the Security Council resolutions of 14 July and 22 July 1960 and requests him to continue to carry out the responsibility placed on him thereby;

2. *Calls upon* the Government of Belgium to withdraw immediately its troops from the province of Katanga under speedy modalities determined by the Secretary-General and to assist in every possible way the implementation of the Council's resolutions;

3. *Declares* that the entry of the United Nations Force into the province of Katanga is necessary for the full implementation of this resolution;

4. *Reaffirms* that the United Nations Force in the Congo will not be a party to or in any way intervene in or be used to influence the outcome of any internal conflict, constitutional or otherwise;

5. *Calls upon* all Member States, in accordance with Articles 25 and 49 of the Charter of the United Nations, to accept and carry out the decisions of the Security Council and to afford mutual assistance in carrying out measures decided upon by the Council;

6. *Requests* the Secretary-General to implement this resolution and to report further to the Council as appropriate.

[The Resolution was adopted by 9 votes to none with 2 abstentions.

*For:* Argentina, Ceylon, China, Ecuador, Poland, Tunisia, UK, USA, USSR.

*Against:* None.

*Abstentions:* France, Italy.]

**D. Resolution Adopted by the Fourth Emergency Session  
of the General Assembly on 20 September 1960<sup>5</sup>**

**Sponsors:** Ceylon, Ethiopia, Ghana, Guinea, Indonesia, Iraq, Jordan, Lebanon, Liberia, Libya, Morocco, Nepal, Saudi Arabia, Sudan, Tunisia, United Arab Republic, and Yemen.

*The General Assembly,*

*Having considered* the situation in the Republic of the Congo,

<sup>5</sup> A/RES/1474 Rev. 1 (E.S.IV).

*Taking note* of the resolutions of 14 July, 22 July and 9 August 1960 of the Security Council,

*Taking into account* the unsatisfactory economic and political conditions that continue in the Republic of the Congo,

*Considering* that, with a view to preserving the unity, territorial integrity and political independence of the Congo, to protecting and advancing the welfare of its people, and to safeguarding international peace, it is essential for the United Nations to continue to assist the Central Government of the Congo,

1. *Fully supports* the resolutions of 14 July, 22 July and 9 August of the Security Council;

2. *Requests* the Secretary-General to continue to take vigorous action in accordance with the terms of the aforesaid resolutions and to assist the Central Government of the Congo in the restoration and maintenance of law and order throughout the territory of the Republic of the Congo and to safeguard its unity, territorial integrity, and political independence in the interests of international peace and security;

3. *Appeals* to all Congolese within the Republic of the Congo to seek a speedy solution by peaceful means of all their internal conflicts for the unity and integrity of the Congo, with the assistance, as appropriate, of Asian and African representatives appointed by the Advisory Committee on the Congo, in consultation with the Secretary-General, for the purpose of conciliation;

4. *Appeals* to all Member Governments for urgent voluntary contributions to a United Nations Fund for the Congo to be used under United Nations control and in consultation with the Central Government for the purpose of rendering the fullest possible assistance to achieve the objective mentioned in the preamble;

5. *Requests* :

(a) All States to refrain from any action which might tend to impede the restoration of law and order and the exercise by the Government of the Republic of the Congo of its authority and also to refrain from any action which might undermine the unity, territorial integrity and the political independence of the Republic of the Congo;

(b) All Member States, in accordance with Articles 25 and 49 of the Charter of the United Nations, to accept and carry out the decisions of the Security Council and to afford mutual assistance in carrying out measures decided upon by the Security Council;

6. Without prejudice to the sovereign rights of the Republic of the Congo, *calls upon* all States to refrain from the direct and indirect provision of arms or other materials of war and military personnel and other assistance for military purposes in the Congo during the temporary period of military assistance through the United Nations, except upon the request of the United Nations through the Secretary-General for carrying

out the purposes of this resolution and of the resolutions of 14 July, 22 July and 9 August of the Security Council.

[The Resolution was adopted by 70 votes to none with 11 abstentions.

*For:* Afghanistan, Argentina, Australia, Austria, Belgium, Brazil, Burma, Cambodia, Canada, Ceylon, Chile, China, Columbia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, Federation of Malaya, Finland, Ghana, Greece, Guatemala, Guinea, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Japan, Jordan, Laos, Lebanon, Liberia, Libya, Luxembourg, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Portugal, Saudi Arabia, Spain, Sudan, Sweden, Thailand, Tunisia, Turkey, UAR, UK, Uruguay, USA, Venezuela, Yemen, Yugoslavia.

*Against:* None.

*Abstentions:* Albania, Bulgaria, Byelorussian SSR, Czechoslovakia, France, Hungary, Poland, Romania, Ukrainian SSR, Union of South Africa, USSR.]

*E. Resolution Adopted by the General Assembly  
on 22 November 1960 as Recommended by the  
Credentials Committee in its Report of  
17 November 1960<sup>6</sup>*

*The General Assembly*

*Accepts* the credentials of the representatives of the Republic of the Congo (Leopoldville) issued by the Head of the State and communicated by him to the President of the General Assembly in a letter dated 8 November 1960.

[The Resolution was adopted by 53 votes to 24 with 19 abstentions.

*For:* Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Cameroun, Chad, Chile, China, Columbia, Congo (Brazzaville), Costa Rica, Cyprus, Dahomey, Denmark, Dominican Republic, Ecuador, El Salvador, France, Gabon, Greece, Guatemala, Haiti, Honduras, Iceland, Italy, Ivory Coast, Japan, Jordan, Laos, Luxembourg, Madagascar, Mexico, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Panama, Paraguay, Peru, Philippines, Portugal, Senegal, Spain, Thailand, Turkey, Union of South Africa, UK, Uruguay, USA.

- Against:* Afghanistan, Albania, Bulgaria, Byelorussian SSR, Ceylon, Cuba, Czechoslovakia, Ghana, Guinea, Hungary, India, Indonesia, Iraq, Mali, Morocco, Poland, Romania, Saudi Arabia, Togo, UAR, Ukrainian SSR, USSR, Yemen, Yugoslavia.
- Abstentions:* Burma, Cambodia, Canada, Central African Republic, Ethiopia, Federation of Malaya, Finland, Iran, Ireland, Israel, Lebanon, Liberia, Libya, Pakistan, Somalia, Sudan, Sweden, Tunisia, Venezuela.
- Nigeria was present but did not participate in the voting.]

*F. Resolution Adopted by the Security Council  
at its 942nd Meeting on 20-21 February 1961<sup>7</sup>*

Sponsors: Ceylon, Liberia, United Arab Republic.

A

*The Security Council*

*Having considered* the situation in the Congo,

*Having learnt with deep regret* the announcement of the killing of the Congolese leaders, Mr Patrice Lumumba, Mr Maurice Mpolo and Mr Joseph Okito,

*Deeply concerned* at the grave repercussions of these crimes and the danger of wide-spread civil war and bloodshed in the Congo and the threat to international peace and security,

*Noting* the report of the Secretary-General's Special Representative (S/4691) dated 12 February 1961 bringing to light the development of a serious civil war situation and preparations therefor,

1. *Urges* that the United Nations take immediately all appropriate measures to prevent the occurrence of civil war in the Congo, including arrangements for cease-fires, the halting of all military operations, the prevention of clashes, and the use of force, if necessary, in the last resort;
2. *Urges* that measures be taken for the immediate withdrawal and evacuation from the Congo of all Belgian and other foreign military and para-military personnel and political advisers not under the United Nations Command, and mercenaries;
3. *Calls* upon all States to take immediate and energetic measures to prevent the departure of such personnel for the Congo from their territories, and for the denial of transit and other facilities to them;
4. *Decides* that an immediate and impartial investigation be held in order to ascertain the circumstances of the death of Mr Lumumba and his colleagues and that the perpetrators of these crimes be punished;
5. *Reaffirms* the Security Council resolutions of 14 July, 22 July and

<sup>7</sup> S/4741.

9 August 1960 and the General Assembly resolution 1474 (ES-IV) of 20 September 1960 and reminds all States of their obligation under these resolutions.

B

*The Security Council,*

*Gravely concerned* at the continuing deterioration in the Congo, and the prevalence of conditions which seriously imperil peace and order, and the unity and territorial integrity of the Congo, and threaten international peace and security,

*Noting with deep regret and concern* the systematic violations of human rights and fundamental freedoms and the general absence of rule of law in the Congo,

*Recognizing* the imperative necessity of the restoration of parliamentary institutions in the Congo in accordance with the fundamental law of the country, so that the will of the people should be reflected through the freely elected Parliament,

*Convinced* that the solution of the problem of the Congo lies in the hands of the Congolese people themselves without any interference from outside and that there can be no solution without conciliation,

*Convinced further* that the imposition of any solution, including the formation of any government not based on genuine conciliation would, far from settling any issues, greatly enhance the dangers of conflict within the Congo and threat to international peace and security,

1. *Urges* the convening of the Parliament and the taking of necessary protective measures in that connexion;

2. *Urges* that Congolese armed units and personnel should be re-organized and brought under discipline and control, and arrangements be made on impartial and equitable bases to that end and with a view to the elimination of any possibility of interference by such units and personnel in the political life of the Congo;

3. *Calls* upon all States to extend their full co-operation and assistance and take such measures as may be necessary on their part, for the implementation of this resolution.

[The Resolution was adopted by 9 votes to none with 2 abstentions.

*For:* Ceylon, Chile, China, Ecuador, Liberia, Turkey, UAR, UK, USA.

*Against:* None.

*Abstentions:* France, USSR.]



*G. Resolutions Adopted by the General Assembly  
at its 985th Plenary Meeting on 15 April 1961*

1. *A/RES/1599*

Sponsors: Burma, Cambodia, Ceylon, Ethiopia, Federation of Malaya, Ghana, Guinea, India, Indonesia, Iraq, Liberia, Libya, Mali, Morocco, Nepal, Saudi Arabia, Sudan, Togo, UAR, Yemen, and Yugoslavia.

*The General Assembly,*

*Recalling* its resolution 1474 (E.S. IV) of 20 September 1960 and the resolutions of the Security Council of 14 July, 22 July and 9 August 1960 and, more particularly, that of 21 February 1961, urging the immediate withdrawal and evacuation of all Belgian and other foreign military and paramilitary personnel and political advisers not under the United Nations Command, and mercenaries,

*Deploring* that despite all these requests the Government of Belgium has not yet complied with the resolutions and that such non-compliance has mainly contributed to the further deterioration of the situation in the Congo,

*Convinced* that the central factor in the present grave situation in the Congo is the continued presence of Belgian and other foreign military and paramilitary personnel and political advisers, and mercenaries, in total disregard of repeated resolutions of the United Nations,

1. *Calls upon* the Government of Belgium to accept its responsibilities as a Member of the United Nations and to comply fully and promptly with the will of the Security Council and of the General Assembly;

2. *Decides* that all Belgian and other foreign military and paramilitary personnel and political advisers not under the United Nations Command, and mercenaries, shall be completely withdrawn and evacuated;

3. *Calls upon* all States to exert their influence and extend their co-operation to effect the implementation of the present resolution.

[The Resolution was adopted by 61 votes to 5 with 33 abstentions.

*For:* Afghanistan, Albania, Austria, Bulgaria, Burma, Byelorussia, Cambodia, Canada, Ceylon, Chad, China, Congo (Brazzaville), Cuba, Cyprus, Czechoslovakia, Dahomey, Denmark, Ecuador, Ethiopia, Federation of Malaya, Finland, Gabon, Ghana, Guinea, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Ivory Coast, Jordan, Lebanon, Liberia, Libya, Madagascar, Mali, Morocco, Nicaragua, Niger, Nigeria, Norway, Poland, Romania, Saudi Arabia, Senegal, Somalia, Sudan, Sweden, Togo, Tunisia, Turkey, UAR, Ukraine, Upper Volta, USSR, Venezuela, Yemen, Yugoslavia.

*Against:* Belgium, Nepal, Portugal, Union of South Africa, Uruguay.  
*Abstentions:* Argentina, Australia, Bolivia, Brazil, Cameroun, Central African Republic, Chile, Columbia, Congo (Leopoldville), Costa Rica, Dominican Republic, El Salvador, France, Greece, Guatemala, Haiti, Honduras, Italy, Japan, Laos, Luxembourg, Mexico, Netherlands, New Zealand, Pakistan, Panama, Paraguay, Peru, Philippines, Spain, Thailand, UK, USA.]

2. *A, RES/1600*

*Sponsors:* Burma, Central African Republic, Chad, Ethiopia, Federation of Malaya, Iran, Japan, Libya, Nigeria, Pakistan, Senegal, Somalia, Sudan, Tunisia, Turkey, Upper Volta.

*The General Assembly,*

*Having considered* the situation in the Republic of the Congo,

*Gravely concerned* at the danger of civil war and foreign intervention and at the threat to international peace and security,

*Taking note* of the report of the Conciliation Commission appointed in pursuance of paragraph 3 of its resolution 1474 (E.S. IV) of 20 September 1960,

*Mindful* of the desire of the Congolese people for a solution of the crisis in the Congo through national reconciliation and return to constitutionality without delay,

*Noting with concern* the many difficulties that have arisen in the way of effective functioning of the United Nations operation in the Congo,

1. *Reaffirms* its resolution 1474 (E.S. IV) and the Security Council resolutions on the situation in the Congo, more particularly the Council resolution of 21 February 1961;

2. *Calls upon* the Congolese authorities concerned to desist from attempting a military solution to their problems and to resolve them by peaceful means;

3. *Considers it essential* that necessary and effective measures be taken by the Secretary-General immediately to prevent the introduction of arms, military equipment and supplies into the Congo, except in conformity with the resolutions of the United Nations;

4. *Urges* the immediate release of all members of Parliament and members of provincial assemblies and all other political leaders now under detention;

5. *Urges* the convening of Parliament without delay, with safe conduct and security extended to the members of Parliament by the United Nations, so that Parliament may take the necessary decisions concerning the formation of a national government and on the future constitutional

structure of the Republic of the Congo in accordance with the constitutional processes laid down in the *Loi fondamentale*;

6. *Decides* to appoint a Commission of Conciliation of seven members to be designated by the President of the General Assembly to assist the Congolese leaders to achieve reconciliation and to end the political crisis;

7. *Urges* the Congolese authorities to co-operate fully in the implementation of the resolutions of the Security Council and of the General Assembly and to accord all facilities essential to the performance by the United Nations of functions envisaged in those resolutions.

[The Resolution was adopted by 60 votes to 16 with 23 abstentions.

*For:* Argentina, Australia, Austria, Bolivia, Brazil, Burma, Cameroun, Canada, Chad, Chile, China, Costa Rica, Cyprus, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, Federation of Malaya, Finland, Greece, Guatemala, Haiti, Honduras, Iceland, Iran, Ireland, Israel, Italy, Japan, Jordan, Lebanon, Liberia, Libya, Luxembourg, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Saudi Arabia, Senegal, Somalia, Sudan, Sweden, Thailand, Togo, Tunisia, Turkey, UK, Upper Volta, Uruguay, USA, Venezuela.

*Against:* Albania, Bulgaria, Byelorussia, Central African Republic, Congo (Brazzaville), Czechoslovakia, Dahomey, Gabon, Hungary, Ivory Coast, Madagascar, Niger, Poland, Romania, Ukraine, USSR.

*Abstentions:* Afghanistan, Belgium, Cambodia, Ceylon, Columbia, Congo (Léopoldville), Cuba, France, Ghana, Guinea, India, Indonesia, Iraq, Laos, Mali, Mexico, Morocco, Portugal, Spain, UAR, Union of South Africa, Yemen, Yugoslavia.]

### 3. A RES/1601

Sponsors: Ceylon, Ghana, India, Morocco.

*The General Assembly,*

*Recalling* part A, paragraph 4, of the Security Council resolution of 21 February 1961,

*Taking note* of document S/4771 and Add. 1,

1. *Decides* to establish a Commission of Investigation<sup>a</sup> consisting of the following members:

Justice U Aung Khine (Burma)

Mr Teschome Hailemariam (Ethiopia)

Mr Salvador Martínez de Alva (Mexico)

Mr Ayité d'Almeida (Togo);

<sup>a</sup> Into the circumstances of the death of Lumumba.

2. *Requests* the Commission to proceed as early as possible to carry out the task entrusted to it.

[The Resolution was adopted by 45 votes to 3, with 49 abstentions.

*For:* Afghanistan, Austria, Bolivia, Brazil, Burma, Cambodia, Canada, Ceylon, Chile, Columbia, Denmark, Ecuador, Ethiopia, Federation of Malaya, Finland, Ghana, Guinea, Iceland, India, Indonesia, Iran, Iraq, Ireland, Jordan, Lebanon, Liberia, Libya, Mali, Mexico, Morocco, Nepal, New Zealand, Nigeria, Norway, Panama, Saudi Arabia, Senegal, Sudan, Sweden, Togo, Tunisia, UAR, Venezuela, Yemen, Yugoslavia.

*Against:* Congo (Léopoldville), Portugal, Spain.

*Abstentions:* Albania, Argentina, Australia, Belgium, Bulgaria, Byelorussian SSR, Cameroun, Central African Republic, Chad, China, Congo (Brazzaville), Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Dominican Republic, El Salvador, France, Gabon, Greece, Guatemala, Haiti, Honduras, Hungary, Israel, Italy, Ivory Coast, Japan, Laos, Luxembourg, Madagascar, Netherlands, Nicaragua, Niger, Pakistan, Paraguay, Poland, Romania, Somalia, Thailand, Turkey, UK, Ukrainian SSR, Union of South Africa, Upper Volta, Uruguay, USA, USSR.]

*H. Resolution Adopted by the Security Council  
at its 982nd Meeting on 24 November 1961<sup>a</sup>*

*Sponsors:* Ceylon, Liberia, United Arab Republic.

*The Security Council,*

*Recalling* its resolutions S/4387, S/4405, S/4426 and S/4741,

*Recalling* further General Assembly resolutions 1474 (E.S. IV), 1592 (XV), 1599 (XV), 1600 (XV) and 1601 (XV),

*Reaffirming* the policies and purposes of the United Nations with respect to the Congo (Léopoldville) as set out in the aforesaid resolutions, namely:

(a) To maintain the territorial integrity and the political independence of the Republic of the Congo,

(b) To assist the Central Government of the Congo in the restoration and maintenance of law and order,

(c) To prevent the occurrence of civil war in the Congo,

(d) To secure the immediate withdrawal and evacuation from the Congo of all foreign military, para-military and advisory personnel not under the United Nations Command, and all mercenaries, and

<sup>a</sup> S/5002.

(e) To render technical assistance,

*Welcoming* the restoration of the national Parliament of the Congo in accordance with the *Loi fondamentale* and the consequent formation of a Central Government on 2 August 1961,

*Deploing* all armed action in opposition to the authority of the Government of the Republic of the Congo, specifically secessionist activities and armed action now being carried on by the provincial administration of Katanga with the aid of external resources and foreign mercenaries, and *completely rejecting* the claim that Katanga is a 'sovereign independent nation',

*Noting with deep regret* the recent and past actions of violence against United Nations personnel,

*Recognizing* the Government of the Republic of the Congo as exclusively responsible for the conduct of the external affairs of the Congo,

*Bearing in mind* the imperative necessity of speedy and effective action to implement fully the policies and purposes of the United Nations in the Congo to end the unfortunate plight of the Congolese people, necessary both in the interests of world peace and international co-operation, and stability and progress of Africa as a whole,

1. *Strongly deprecates* the secessionist activities illegally carried out by the provincial administration of Katanga, with the aid of external resources and manned by foreign mercenaries;

2. *Further deprecates* the armed action against United Nations forces and personnel in the pursuit of such activities;

3. *Insists* that such activities shall cease forthwith, and *calls upon* all concerned to desist therefrom;

4. *Authorizes* the Secretary-General to take vigorous action, including the use of a requisite measure of force, if necessary, for the immediate apprehension, detention pending legal action and/or deportation of all foreign military and para-military personnel and political advisers not under the United Nations Command, and mercenaries as laid down in part A, operative paragraph 2 of the Security Council resolution of 21 February 1961;

5. *Further requests* the Secretary-General to take all necessary measures to prevent the entry or return of such elements under whatever guise and also of arms, equipment or other material in support of such activities;

6. *Requests* all States to refrain from the supply of arms, equipment or other material which could be used for warlike purposes, and to take the necessary measures to prevent their nationals from doing the same, and also to deny transportation and transit facilities for such supplies across their territories, except in accordance with the decisions, policies and purposes of the United Nations;

7. *Calls upon* all Member States to refrain from promoting, condoning, or giving support by acts of omission or commission, directly or indirect-

ly, to activities against the United Nations often resulting in armed hostilities against the United Nations forces and personnel;

8. *Declares* that all secessionist activities against the Republic of the Congo are contrary to the *Loi fondamentale* and Security Council decisions and specifically *demand*s that such activities which are now taking place in Katanga shall cease forthwith;

9. *Declares* full and firm support for the Central Government of the Congo, and the determination to assist that Government, in accordance with the decisions of the United Nations, to maintain law and order and national integrity, to provide technical assistance and to implement those decisions;

10. *Urges* all Member States to lend their support, according to their national procedures, to the Central Government of the Republic of the Congo, in conformity with the Charter and the decisions of the United Nations;

11. *Requests* all Member States to refrain from any action which may, directly or indirectly, impede the policies and purposes of the United Nations in the Congo and is contrary to its decisions and the general purpose of the Charter.

[The Resolution was adopted by 9 votes to none with 2 abstentions.

*For:* Ceylon, Chile, China, Ecuador, Liberia, Turkey, UAR, USA, USSR.

*Against:* None.

*Abstentions:* France, U.K.]

TREATY OF FRIENDSHIP BETWEEN BELGIUM AND THE CONGO

*Note:* This unofficial translation of the Treaty is reprinted from the *Staff Memorandum on the Republic of the Congo*, Committee on Foreign Affairs, House of Representatives, Washington, D.C., August 24, 1960, page 58.

The High Contracting Parties, considering that it is in their common interest to maintain between themselves ties of friendship and solidarity, in respect to the sovereignty of each of the two independent States, have drawn up the following provisions:

1. The High Contracting Parties are concluding between themselves a general treaty of friendship, assistance and technical cooperation. They will entertain a mutual collaboration on a basis of equality and will consult each other on all matters of common interest.

2. The Belgian Government will put at the disposal of and under the authority of the Congolese Government, under the conditions decreed in the common accord, personnel in the administrative, judiciary, military, cultural, and scientific fields and in the field of education.

3. Assistance and cooperation in the social, economic and financial fields will be determined by agreements put forth commonly.

4. The provisions foreseen in Articles 2 and 3 will be based on the resolutions and work of the Round Table and the Economic and Social Conferences.

5. To assure the representation of the Congo and the protection of the Congo's aims and interests abroad, the Belgian Government will collaborate with the Congolese Government, notably: in assuming Congo representation wherever the Congolese Government desires it; by putting at the disposition of the Congo, to a degree desired by the Congolese Government, personnel of the Belgian Ministry of Foreign Affairs.

6. All military intervention by Belgian forces stationed in Congo bases can take place only on the express command of the Congolese Minister of National Defense. Agreements to be made later will set the measures under which the Belgian military bases in the Congo will revert to the Congo and will set forward in detail the forms of cooperation desired by the two governments.

7. The Governments of Belgium and of the Congo will proceed to

exchange diplomatic missions which apart from the powers, privileges and immunities accorded to all embassies will be beneficiaries of a special status.

The chiefs of these missions will be able to be present at Committee of Ministers meetings as provided in the protocol of Article 9. They will equally be able, when invited, to be present at the Committee of Ministers meetings of the other Contracting Party.

Because of these prerogatives they will enjoy a special protocol position.

The Congo will be able to be represented in Belgium by a Minister, member of the Government of the Republic, in view of the importance of the problems which must be worked out between the two States.

For the realization of the program of assistance and cooperation provided for in Articles 2, 3, 5 and 6 of the present treaty, the Belgian diplomatic representation in the Congo will include a technical assistance mission.

8. As pertains to relations in the fields of commerce, maritime transportation and public adjudications, the High Contracting Parties commit themselves to grant reciprocally a treatment which is as favorable as that which they would grant to another state because of a special agreement and not to give any other state treatment which is more favorable than that agreed between the two.

9. To assure full effectiveness of the cooperation provided for in the first Article, the Governments of the High Contracting Parties and their representatives will proceed to a regular exchange of views.

10. Litigation resulting from the application of the present treaty which cannot be decided notably by application of Article 9 will be resolved according to an arbitration procedure established by a separate convention.

11. Separate conventions will set forward in detail the modalities of application of the clauses set forth in Articles 2, 3, 5, 6, 7, 8, 9, and 10.

12. The treaty is concluded for an indefinite period. Either of the High Contracting Parties can denounce it at any time, after one year's warning, to take effect on the 31st of December of each year.



Appendix D

MAJOR POLITICAL EVENTS IN THE CONGO: 1960-1964

1960	
<u>LUMUMBA</u> <u>GOVERNMENT</u> June 30-Sept. 5	July 5-14 - Congolese Army mutiny, panic, and Belgian action July 11 - Tshombe declares Katanga independent July 14 - First U.N. resolution authorized peacekeeping mission September 5 - Kasavubu dismisses Lumumba; appoints Ileo
<u>COUNCIL OF</u> <u>COMMISSIONERS</u> Sept. 14-Feb. 4	September 14 - Mobutu coup establishes Council of Commissioners November 22 - Kasavubu delegation seated at the United Nations December 12 - Gizenga establishes rival regime in Stanleyville
1961	
<u>ILEO</u> <u>GOVERNMENT</u> Feb. 4-Apr. 2	February 13 - Lumumba's death in Katanga announced February 21 - U.N. authorizes military force to prevent civil war March 8-12 - Tananarive Conference (Confederation Plan) Apr. 24-May 23 - Coquilhatville Conference (Federal Plan) July 27-Aug. 2 - Lovanium Parliament (Crisis ended by electing Adoula)
<u>ADOULA</u> <u>GOVERNMENT</u> Apr. 2, 1961- June 30, 1964	August 5 - Gizenga recognizes Adoula Government Sep. 13-21 - <u>Round One</u> (Inconclusive clash between UNF and Katanga) Dec. 5-19 - <u>Round Two</u> (Inconclusive clash between UNF and Katanga) Dec. 20-21 - Kitona Accord; Tshombe recognizes Adoula Government
1962	
January 16 - Adoula removes, arrests. Deputy Prime Minister Gizenga March-June - Adoula-Tshombe talks on Katanga inconclusive August 20 - Thant Plan for National Reconciliation announced December 14 - Thant requests economic sanctions against Katanga	
1963	
Dec. 23-Jan. 21 - <u>Round Three</u> (Katanga secession ended by UNF) June 14 - Tshombe leaves the country for self-imposed exile September 29 - Parliament indefinitely adjourned October 2 - National Liberation Committee formed in Brazzaville	
1964	
January - Rebellion breaks out in Kwilu Feb. - June - Rebellion spreads through one-third of Congo June 26 - Tshombe returns to Leopoldville from "exile" June 30 - Last UNF troops leave Congo	

Transmittal Information Chart: 1965

BASIC AGREEMENT BETWEEN THE SECRETARY-GENERAL AND THE CONGO GOVERNMENT

Note: This "basic agreement" between Mr. Hammarskjöld and the Congo was initialled on July 29, 1960. It was circulated as document S/4389/Add.5. This initial agreement was superseded by a full Status Agreement, November 27, 1961. (See Appendix L.)

1. The Government of the Republic of the Congo states that, in the exercise of its sovereign rights with respect to any question concerning the presence and functioning of the United Nations Force in the Congo, it will be guided, in good faith, by the fact that it has requested military assistance from the United Nations and by its acceptance of the resolutions of the Security Council of 14 and 22 July 1960; it likewise states that it will ensure the freedom of movement of the Force in the interior of the country and will accord the requisite privileges and immunities to all personnel associated with the activities of the Force.

2. The United Nations takes note of this statement of the Government of the Republic of the Congo and states that, with regard to the activities of the United Nations Force in the Congo, it will be guided, in good faith, by the task assigned to the Force in the aforementioned resolutions; in particular the United Nations reaffirms, considering it to be in accordance with the wishes of the Government of the Republic of the Congo, that it is prepared to maintain the United Nations Force in the Congo until such time as it deems the latter's task to have been fully accomplished.

3. The Government of the Republic of the Congo and the Secretary-General state their intention to proceed immediately, in the light of paragraphs 1 and 2 above, to explore jointly specific aspects of the functioning of the United Nations Force in the Congo, notably with respect to its deployment, the question of its lines of communication and supply, its lodging and its provisioning; the Government of the Republic of the Congo, confirming its intention to facilitate the functioning of the United Nations Force in the Congo, and the United Nations have agreed to work together to hasten the implementation of the guiding principles laid down in consequence of the work of joint exploration on the basis of the resolutions of the Security Council.

4. The foregoing provisions shall likewise be applicable, as appropriate, to the non-military aspects of the United Nations operation in the Congo.

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BRIEF BIOGRAPHIES OF CONGOLESE LEADERS

**Note:** The sketches of the following 20 Congolese political figures have been taken from Catherine Hoskyns, The Congo Since Independence, London: Oxford University Press, 1965, pp. 497-502.

**ADOULA, CYRILLE;** *b.* 1921 in Léopoldville of a family originating in Equateur province. Tribe—Ba-Budja. Educated to intermediate level then worked in various enterprises including the Central Bank. In 1955 joined the Congolese section of the Belgian Socialist trade union movement, the Fédération Générale du Travail de Belgique, and rose eventually to be Secretary-General. Became vice-president of the MNC at the time of its formation in October 1958 but broke with Lumumba when the party split in July 1959. In May 1960 elected to the Senate for Equateur province. Became increasingly disturbed by Lumumba's actions in July and August and was one of those who urged Kasavubu to take action. Opposed the assumption of power by the army and played no part in the College of Commissioners. Became Minister of the Interior in the Ileo Government of February 1961 and used his position to free those illegally detained and to try to prevent the massacre of political prisoners. Played a leading part in the negotiations with Stanleyville in June and July 1961 and became Prime Minister of the coalition Government which was formed in August.

**BOMBOKO, JUSTIN;** *b.* 1928 in Bolomba (Equateur). Tribe—Ba-Mongo. Educated until 1945 in Equateur and then spent six years at the administrative college at Kisantu near Léopoldville. Worked in the administration in Coquilhatville until 1956 when he was one of the first Congolese students to enroll at a Belgian university. Studied journalism and political science and completed his studies in 1959. Active at the Round Table Conference and in the political commission set up to draft the Loi Fondamentale. Elected to the Chamber in May 1960 and appointed Minister of Foreign Affairs in the Lumumba Government. Held the same post successively in the College of Commissioners and in the Ileo and Adoula Governments.

**GBENYE, CHRISTOPHE;** *b.* 1927 in the Bas-Uélé district of Orientale province. Tribe—Ba-Bua. Worked in the administration in Stanleyville and became one of Lumumba's closest associates and one of the most active of the MNC organizers. Elected to the Chamber in the May 1960 elections and appointed Minister of the Interior in the Lumumba Government. Dismissed with Lumumba in September, and escaped to Stanleyville where he assumed the same post in the Gizenga Government. Negotiated on Gizenga's behalf at the time of the Lovanium session and became Minister of the Interior when the Adoula regime was formed. Retained his post when Gizenga was arrested but was

clearly becoming increasingly at odds with the policy of the Government.

**GIZENGA, ANTOINE**; b. 1925 near Gungu in the Kwilu district of Léopoldville province. Tribe—Ba-Pende. Educated to a comparatively high level in Roman Catholic seminaries but decided against the priesthood and took up teaching instead. One of the founders of the PSA and its first president-general. According to his own account visited Western and Eastern Europe at the beginning of 1960. Elected to the Chamber in the May 1960 elections and appointed Deputy Prime Minister in the Lumumba Government. Remained loyal to Lumumba during the constitutional crisis in September 1960 and escaped to Stanleyville where he established his own regime in opposition to the College of Commissioners. In August 1961 agreed to the formation of a coalition government and resumed his post of Deputy Prime Minister in September. Returned to Stanleyville in October and was arrested and imprisoned by the Central Government in January 1962.

**ILEO, JOSEPH**; b. 1921 in Léopoldville of a family originating in Equateur province. Tribe—Ba-Mongo. Educated in Léopoldville and then became an official in the Office des Cités Africaines. Part-time journalist and one of those responsible in 1956 for the first political manifesto issued by the Congolese. Founder member of the MNC but took the initiative in forcing the split with Lumumba in 1959. Member initially of the MNC(K) but withdrew from the party as it became increasingly Ba-Luba dominated and was eventually elected to the Senate with the support of Unimo. Elected President of the Senate in June 1960 in spite of the opposition of the Lumumba bloc. Was one of those who encouraged Kasavubu to take action against Lumumba, and was himself appointed Prime Minister in September 1960. Forced to give way to Mobutu and the College of Commissioners but became Prime Minister again in February 1961 and was appointed Minister of Information in the Adoula Government which followed.

**KALONJI, ALBERT**; b. 1929 at Hemptinne near Luluabourg. Tribe—Kasai Ba-Luba. Qualified as an agricultural officer at Kisantu in Léopoldville province. Set up as an accountant in Luluabourg and in 1959 became leader of the MNC in Kasai. When the MNC split in July joined those who were opposed to Lumumba and formed his own wing of the party, the MNC(K). Became Lumumba's most bitter rival and was one of the few leading Congolese not included in the Government of June 1960. Immediately after independence declared that he was forming first a separate province and then an independent state for the Kasai Ba-Luba. In 1961 appointed himself 'mulopwe' or king of the Ba-Luba. Agreed that the MNC(K) should participate in the Adoula

Government of August 1961 but did not himself accept a ministry. Increasingly under attack by the more modern-minded and progressive Ba-Luba, who resented his traditionalism.

**KALONJI, ISAAC**; b. 1914 in Lusambo (Kasai). Tribe—Kasai Ba-Luba. Went to work in Katanga and became one of the leaders of the immigrant Kasai Ba-Luba group in Elisabethville and president of their political party, Fédéka. Visited the United States in 1956-7. One of those responsible for the formation of the Balubakat Cartel which fought Conakat in the May 1960 elections in Katanga. Elected to the Senate for Katanga and proposed by Lumumba as Commissioner of State for Kasai. Opposed the secession movement in Katanga and supported the establishment of a separate province in the north by the Balubakat. In July 1961 elected Vice-President of the Senate.

**KAMITATU, CLÉOPHAS**; b. 1931 in the Masi-Manimba region of Kwilu district (Léopoldville). Tribe—Ba-Mbala (Ba-Ngongo). Educated by the Jesuits and entered the administration in 1953. Provincial president of the PSA (when Gizenga was president-general) and elected President of the Léopoldville provincial Government in June 1960. Advocated compromise and conciliation between Lumumba and Kasavubu in September 1960 and opposed the assumption of power by Mobutu when this seemed to be directed exclusively against the Lumumbists. While basically sympathetic to the Stanleyville regime, remained in Léopoldville throughout 1960 and 1961 and played a considerable part in the negotiations which resulted in the formation of the Adoula Government in August. By the end of 1961, however, it was clear that he was supporting Adoula rather than Gizenga and as a result the PSA split into two bitterly hostile factions.

**KANZA, DANIEL**; b. 1909. Tribe—Ba-Kongo (Manianga). Educated by the Protestants and then enrolled in the Force Publique, where as a soldier he was posted all over the Congo. Vice-president of the Abako in 1957 and was arrested after the riots in January 1959. Within the Abako became the leader of the more modern and nationally minded element which was opposed to the leadership of Kasavubu. When Kasavubu retired from the Round Table Conference in January 1960, attempted to take over the leadership of the party but was frustrated by the fact that the great majority of the Ba-Kongo remained loyal to Kasavubu. After independence became mayor of Léopoldville.

**KANZA, THOMAS**; b. 1933. Tribe—Ba-Kongo (Manianga). Son of Daniel Kanza (*see above*). Graduated (and was the first Congolese to do so) from Louvain University in Belgium in 1956. Taught for one year in

Léopoldville and then returned as a post-graduate student to the College of Europe in Bruges. Worked as an official at the EEC from 1958 to 1960, but resigned in June two weeks before the Congo became independent. Appointed by Lumumba as Minister Delegate at the United Nations and represented the Congo in New York in July and August. Remained loyal to Lumumba after his dismissal in September 1960, and became the representative abroad of the Gizenga regime. Appointed chargé d'affaires in London for the Adoula Government in 1962. Author of a number of short books and essays including *Congo; Pays de deux évolués* (1956), *Tôt ou tard* (1959), and *Congo 1967* (1962).

**KASAVUBU, JOSEPH**; b. 1917 at Tshela in the Bas-Congo. Tribe—Ba-Kongo (Ba-Yombe). Intended originally to be a priest and was educated to a comparatively high level in Roman Catholic seminaries. Worked as a teacher and in the administration. Active in the Abako and in 1956 became its president. In 1958 in the municipal elections became mayor of Dendale, one of the African communes in Léopoldville. Became the acknowledged leader of the Congolese independence movement and was arrested after the riots in January 1959. Lumumba's rival for the post of first Prime Minister of the Congo, but finally accepted to be Head of State. Took the initiative in dismissing Lumumba in September 1960, but maintained his own position in the regimes which followed.

**KASHAMURA, ANICET**; b. 1928 at Kalehe (Kivu). Tribe—Ba-Huvu. Educated locally and then employed in the administration and in a number of private companies. Studied journalism and became the editor of *Vérité*, the journal of Cerea, the Kivu party which he helped to found. Elected to the Chamber for Bukavu in May 1960, he became Minister of Information in the Lumumba Government. Responsible for some of the most anti-Belgian of the broadcasts made during the mutiny, and much disliked by the Belgian community. Dismissed with Lumumba in September 1960 and escaped first to Stanleyville and then to Kivu. Given no office in the Adoula Government of August 1961 and returned to Léopoldville as a simple deputy.

**KIBWE, JEAN-BAPTISTE**; b. 1924 in the Pweto region of Katanga. Tribe—Ba-Tabwa. Educated in Elisabethville and held a variety of administrative posts. Member of the Conakat delegation to the Round Table Conference and member of the political commission established in Brussels to draw up the Loi Fondamentale. Elected as deputy to the Katanga Assembly in the May 1960 elections and became Minister of Finance in the Katanga provincial Government. Approved the de-

claration of secession and conducted several missions abroad in an attempt to rally support for Katanga. Became one of the most fervent supporters of Katanga's independence and opposed all suggestions that secession might be brought peacefully to an end.

**LUMUMBA, PATRICE**; b. 1925 in the Sankuru district of Kasai. Tribe—Ba-Tetela. Educated locally and in Stanleyville where he became a clerk in the post office. Sentenced in 1956 to two years' imprisonment (later reduced) for embezzlement. Active in all the organizations for *évolué* Congolese, and in 1957 moved to Léopoldville where he became sales manager for a brewery. Took the initiative in October 1958 in founding the MNC, and in December attended the first All-African People's Conference in Accra. Arrested for agitation at the end of 1959, but released in time to attend the Round Table Conference from which he emerged as the acknowledged leader of the Congolese. In the period before the elections built the MNC into the only Congolese party which could really claim to be national. Became Prime Minister in June 1960 and was faced almost immediately with the mutiny and the collapse of the administration. Dismissed by Kasavubu in September and remained in Léopoldville under United Nations protection until December when he was arrested and imprisoned while attempting to escape. Transferred to Katanga in January 1961 and murdered some time within the next few weeks. Author of *Le Congo, terre d'avenir, est-il menacé?*, written in 1956 and published 1961.

**LUNDULA, VICTOR**; b. c. 1920 in the Sankuru district of Kasai. Tribe—Ba-Tetela. Medical orderly in the Force Publique and took part in the Burma campaign. Settled in Katanga and became mayor of one of the African communes in Jadotville. Appointed by Lumumba as commander of the Force Publique after the mutiny in July 1960. Dismissed with Lumumba in September 1960 and escaped to Stanleyville in November where he assumed command of the armed forces in Orientale and Kivu. Rallied to the Adoula Government in November 1961 and was given the rank of General.

**MOBUTU, JOSEPH**; b. 1930 in Lisala (Equateur). Tribe—Ba-Ngbandi. Worked as a clerk in the Force Publique from 1950 to 1956. Moved to journalism and politics and became an active member of the MNC. Spent 1959-60 in Brussels on a trainee course in journalism and public relations. Did not stand in the May 1960 elections but was appointed by Lumumba as his own Secretary of State when the Government was formed. After the mutiny appointed Chief of Staff in the new army because of his previous experience in the Force Publique. Took his position very seriously and in September announced that he was

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neutralizing all politicians and assuming power. Relinquished all direct political power at the time of the formation of the Adoula Government but continued to wield considerable influence.

**MUNONGO, GODEFROID**; b. 1925 in Bunkeya (Katanga). Member of the ruling family of the small Ba-Yeke tribe, and brother of the chief. Educated in Bunkeya and Elisabethville and then went to the school of administration at Kisanu, near Léopoldville. Founder member and first president of Conakat in 1958 but had to resign when he was transferred to an administrative post in the Inga hydro-electric scheme in Léopoldville province. Elected as deputy to the Katanga Assembly in the May 1960 elections and became Minister of the Interior in the Katanga provincial Government. Reputed to be the 'strong man' of the Katanga regime and without doubt one of the architects of the secession movement.

**NENDAKA, VICTOR**; b. 1923 at Buta (Orientale). Tribe—Ba-Bua. Moved to Léopoldville where he took various jobs and in 1957 opened his own bar and insurance agency. Active in the MNC in 1959 and early 1960, but in April split from Lumumba and formed his own party. Defeated in the elections in Orientale. Appointed by Kasavubu as head of the *Sûreté* after Lumumba's dismissal, a position of considerable power which he continued to hold under the regimes which followed.

**SENDWE, JASON**; b. 1917 at Kabongo (North Katanga). Tribe—Katanga Ba-Luba. Educated in Protestant missions and became a medical assistant. President-general of the Balubakat and one of those primarily responsible for its withdrawal from Conakat in November 1959. Leader of the Balubakat delegation to the Round Table Conference and elected to the Chamber for Elisabethville in the May 1960 elections. Remained in Léopoldville throughout the crisis but refused to commit himself to either the Iléo or the Gizenga regimes. Became deputy Prime Minister in the Adoula Government which was formed in August 1961.

**TSHOMBE, MOÏSE**; b. 1917 near Kapanga (Katanga) into a wealthy family of Ba-Lunda merchants. Secured his position in the tribe at an early age by marrying the daughter of the paramount chief, the Mwata Yamvo. After completing intermediate school, he worked as a teacher and businessman until in 1958 he began to take an interest in politics and succeeded Godefroid Munongo as president of Conakat. In May 1960 he was elected as deputy to the Katanga Assembly and became President of the Katanga provincial Government. When the mutiny broke he declared Katanga independent and a few weeks later he was elected President of the new state.

U.N. CIVILIAN AND MILITARY REPRESENTATIVES IN THE CONGO: 1960-1964

*Officers in Charge<sup>1</sup>*

1. Ralph J. Bunche (U.S.), 13 July 1960-27 August 1960
2. Andrew W. Cordier (U.S.), 27 August 1960-6 September 1960
3. Rajeshwar Dayal (India), 8 September 1960-25 May 1961
4. Indarjit Rikhye (acting) (India), 3 November 1960-  
23 November 1960
5. Mekki Abbas (acting) (Sudan), 10 March 1961- 20 May 1961
6. Sture Linner (Sweden), 20 May 1961-10 February 1962
7. Robert Gardiner (Ghana), 10 February 1962-1 May 1963
8. Max H. Dorsinville (Haiti), 1 May 1963-30 April 1964
9. Bibiano F. Osorio-Tafall (acting) (Mexico), 30 April 1964-  
30 June 1964

*Representatives in Elisabethville*

1. Ian E. Berendsen (New Zealand), August 1960-March 1961
2. Georges Dumontet (France), March 1961-May 1961
3. Conor Cruise O'Brien (Ireland), June 1961-November 1961
4. Brian E. Urquhart (U.K.), November 1961-January 1962
5. George Ivan Smith (acting) (Australia), December 1961
6. George Dumontet (acting) (France), 27 December 1961-  
January 1962
7. Jose Rolz-Bennett (Guatemala), January 1962-June 1962
8. Jean Back (France), June 1962
9. Eliud Mathu (Kenya), June 1962-May 1963
10. George L. Sherry (acting) (U.S.), January 1963-
11. A. Nashashibi (Jordan), May 1963-June 1964  
February 1963

<sup>1</sup> Until May 25, 1961, this title was *Special Representative of the Secretary-General*.

Force Commanders

1. Maj. Gen. Carl von Horn (Sweden), August 1960-December 1960
2. Lt. Gen. Sean McKeown (Ireland), January 1961-March 1962
3. Lt. Gen. Kebede Gebre (Ethiopia), April 1962-July 1963
4. Maj. Gen. Christian R. Kaldager (Norway), August 1963-December 1963
5. Maj. Gen. J. T. U. Aguiyu Ironsi (Nigeria), January 1964-June 1964.

U.N. Commanders in Katanga

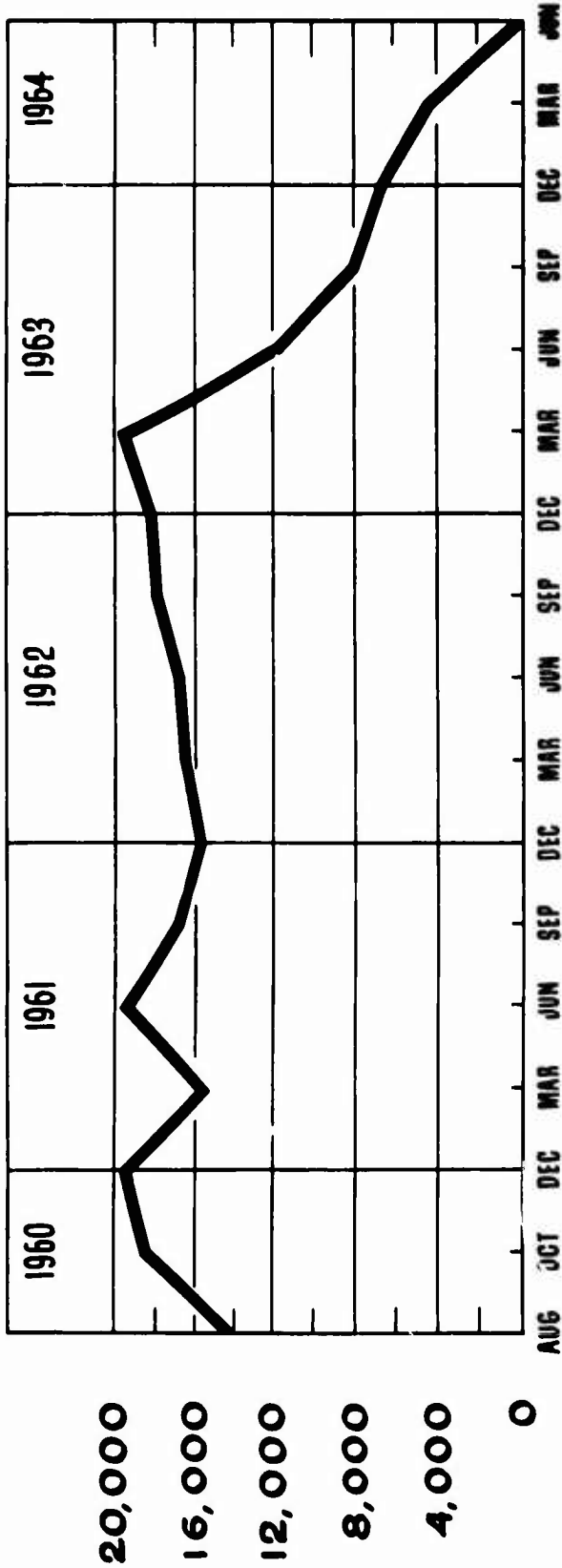
1. Col. H. W. Byone (Ireland), August 1960-December 1960
2. Brigadier K. A. S. Raja (India), March 1961-April 1962
3. Maj. Gen. D. Prem Chand (India), May 1962-April 1963
4. Col. Worku Metaferia (acting)(Ethiopia), April 1963-June 1963
5. Brig. Gen. Abebe Teferra (Ethiopia), June 1963-June 1964.

CHARTS ON THE U. N. FORCE

- A. Strength of U. N. Force in the Congo: 1960-1964
- B. Manpower Contribution to the U. N. Military Effort in the Congo,  
By States, Expressed in Man-Months, Aug. 2, 1960-June 30, 1964
- C. Changes in U. N. Force Composition (Major Combat Units)
- D. National Representation at U. N. Force Headquarters
- E. U. N. Force Levels in the Congo: 1960-1964  
Part 1: August 1960 - June 1962  
Part 2: July 1962 - June 1964
- F. Strength of African and Other Troops in the U. N. Congo Force
- G. Strength of U. N. Forces in Katanga and in the Rest of the  
Congo

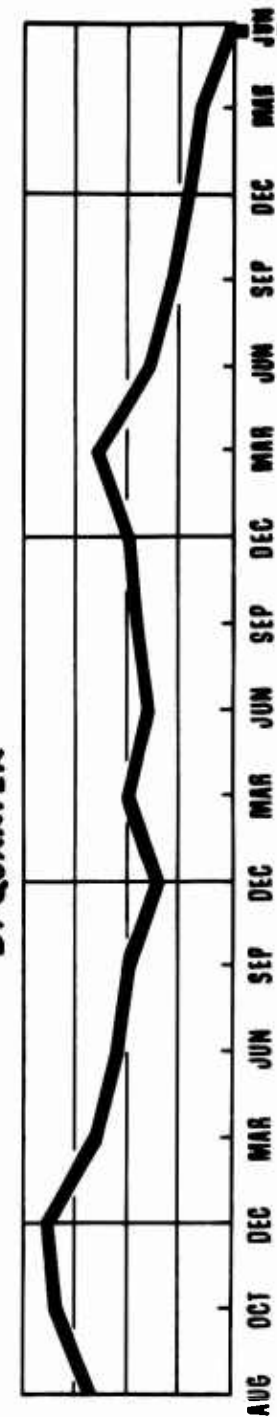
# STRENGTH OF U.N. FORCE IN THE CONGO, 1960-1964

BY QUARTER



## NUMBER OF CONTINGENTS IN THE U.N. FORCE

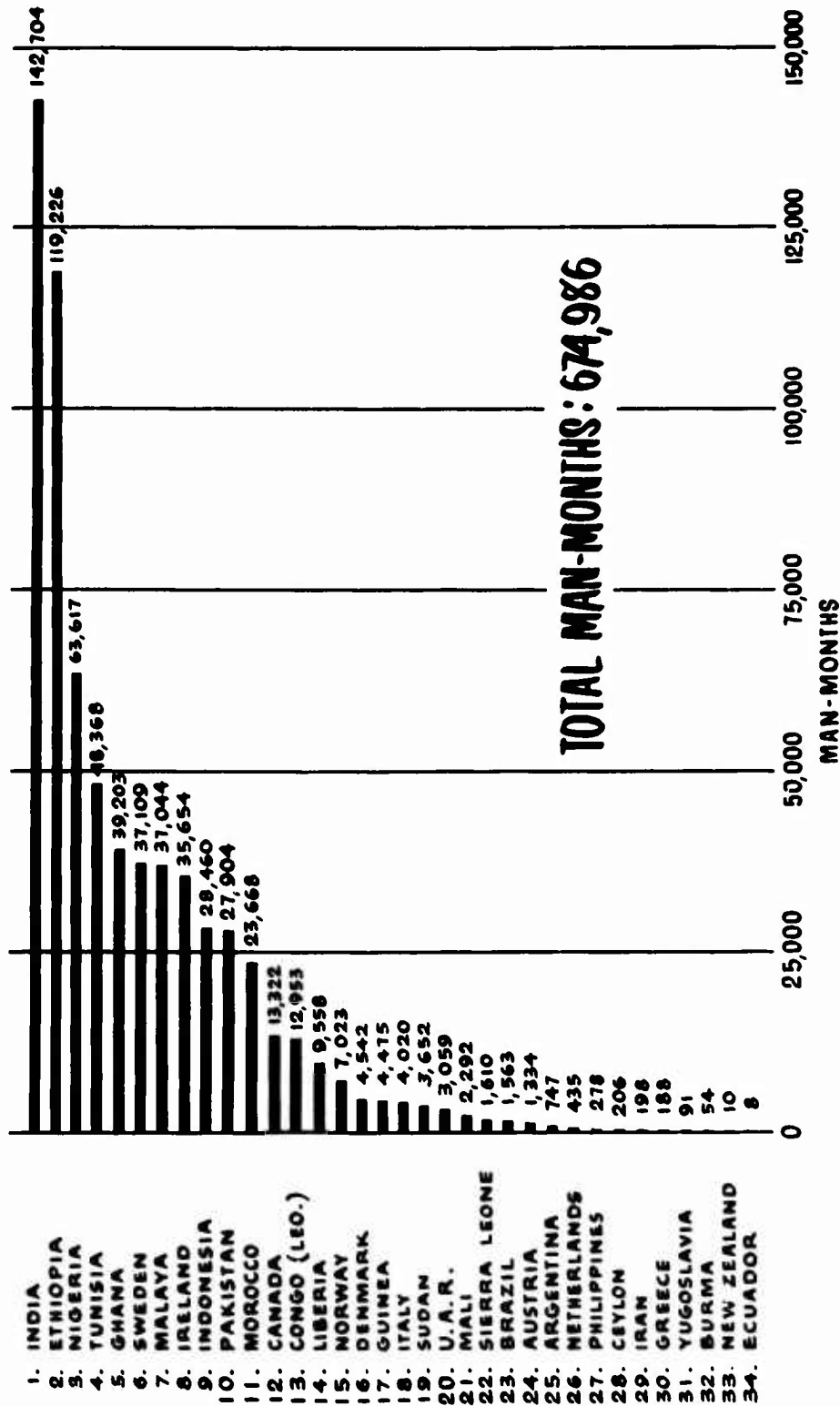
BY QUARTER



BROOKING INSTITUTION CHART: PREPARED FROM OFFICIAL U. N. RECORDS.

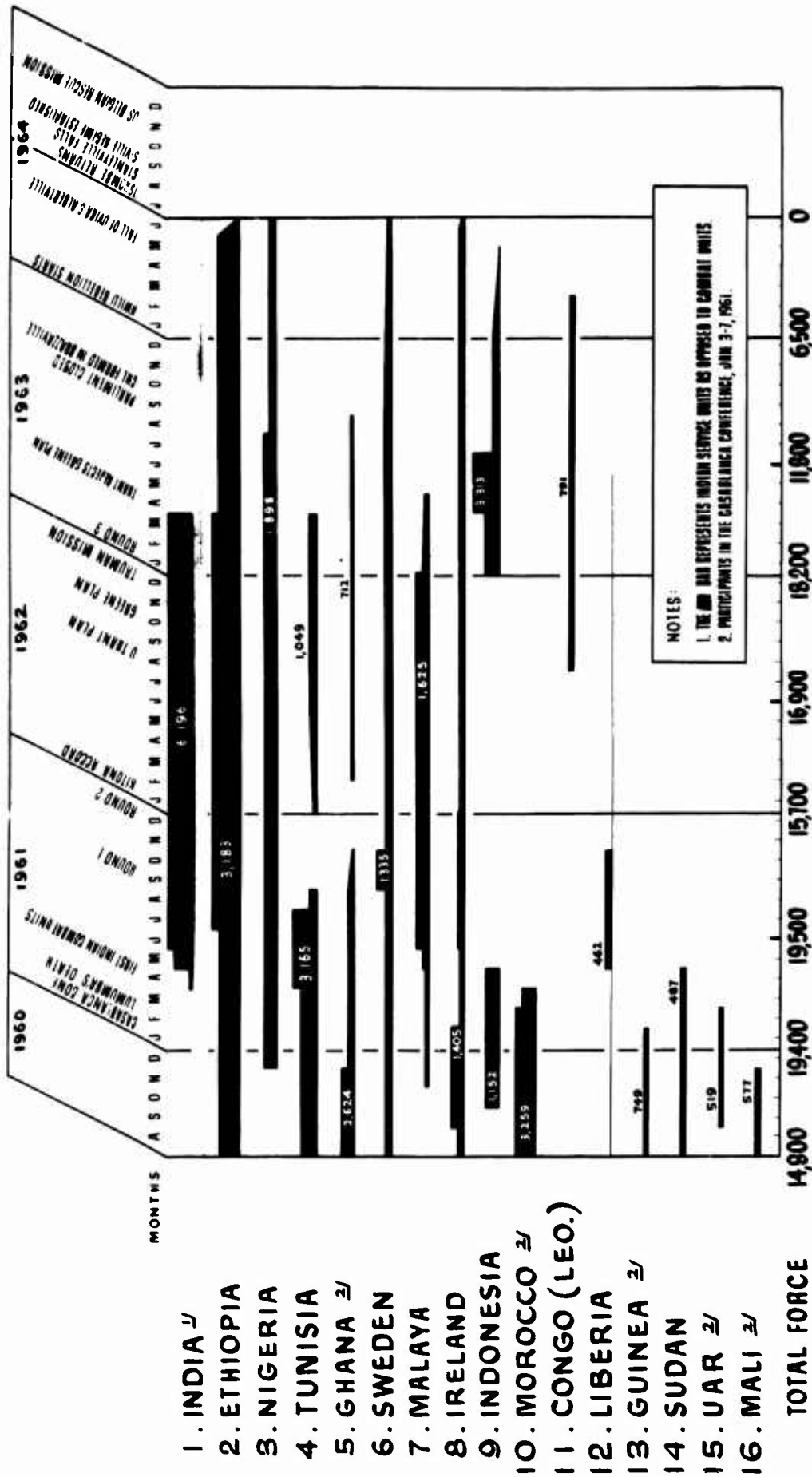
# MANPOWER CONTRIBUTION TO THE U.N. MILITARY EFFORT IN THE CONGO

BY STATES, EXPRESSED IN MAN-MONTHS, AUG. 2, 1960-JUNE 30, 1964



BROOKING INSTITUTION CHART: PREPARED FROM OFFICIAL U. N. RECORDS.

# CHANGES IN U.N. FORCE COMPOSITION (MAJOR COMBAT UNITS)



BROOKING INSTITUTION CHART: PREPARED FROM OFFICIAL U. N. RECORDS.

# NATIONAL REPRESENTATION AT U.N. FORCE HEADQUARTERS

THIS TABULATION INCLUDES ONLY OFFICERS IN THE LEOPOLDVILLE HEADQUARTERS.

COUNTRY	NOV 1961	NOV 1962	NOV 1963	MAY 1964	AVERAGE
1. CANADA	11	13	9	8	10¼
2. INDIA	10	15	7	6	9½
3. PAKISTAN	8	10	6	4	7
4. SWEDEN	5	11	7	5	7
5. IRELAND	7	6	3	5	5¼
6. NORWAY	5	7	4	4	5
7. DENMARK	4	3	3	3	3¼
8. ETHIOPIA	4	5	1	2	3
9. NIGERIA	1	0	1	2	1
10. NETHERLANDS	1	1	0	0	½
11. MALAYA	1	1	0	0	½
12. INDONESIA	0	0	2	0	½
13. CEYLON	2	0	0	0	½
14. LIBERIA	0	1	0	0	¼

BROOKING INSTITUTION CHART: PREPARED FROM OFFICIAL U.N. RECORDS.



U.N. FORCE LEVELS IN THE CONGO: 1960-1964

Part 1: August 1960 - June 1962

Country	1960					1961												1962					
	Aug. 20	Sep. 2	Oct. 7	Nov. 1	Dec. 2	Jan. 6	Feb. 3	Mar. 3	Apr. 7	May 3	June 2	July 7	Aug. 4	Sep. 1	Oct. 4	Nov. 8	Dec. 6	Jan. 1	Feb. 1	Mar. 1	Apr. 6	May 2	June 1
Austria.....	-	-	-	-	6	57	60	60	50	48	6	3	48	46	46	44	44	40	47	48	48	47	47
Argentina.....	10	10	10	23	22	22	22	23	24	26	26	26	24	22	24	24	26	26	18	16	-	-	-
Brazil.....	10	9	9	20	20	23	30	29	29	29	26	20	20	35	35	35	34	34	34	55	49	49	49
Burma.....	9	9	9	9	9	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Canada.....	194	458	273	273	268	292	292	252	289	281	281	281	276	256	262	273	297	291	291	311	312	308	316
Ceylon.....	8	9	9	9	9	9	9	9	9	8	16	8	8	8	8	8	12	13	13	13	11	-	-
Congo.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Denmark.....	12	19	30	30	37	59	51	60	64	65	77	74	78	79	104	81	87	84	88	89	91	90	90
Ecuador.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Ethiopia.....	2524	2571	2572	2573	2573	2486	2504	2499	2488	2464	2381	2381	2381	2377	2111	2115	2024	2061	2027	2028	2030	2018	2018
Ghana.....	2394	2342	2624	2380	1851	1914	1873	1708	1688	1651	1581	1581	1543	1543	1543	1543	1543	1543	1543	1543	1543	1543	1543
Greece.....	-	-	-	-	-	-	-	-	21	21	21	25	25	25	25	25	-	-	-	-	-	-	-
Guinea.....	745	745	749	749	749	738	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
India.....	73	173	749	754	776	777	776	767	2536	4886	3395	3413	3407	3743	3754	3703	3996	3866	3886	3706	6196	6194	5418
Indonesia.....	-	-	1152	1152	1130	1153	1151	1159	1139	9	-	-	-	-	-	-	-	-	-	-	-	-	-
Iran.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Iceland.....	121	1482	1391	1408	1397	1405	655	657	668	650	977	970	1008	1017	1008	999	981	788	787	784	782	715	691
Italy.....	2	1	30	110	110	95	83	96	78	137	136	149	136	140	140	133	110	180	186	143	141	135	146
Liberia.....	227	235	234	233	233	232	235	238	238	441	457	456	468	468	468	235	239	239	239	239	239	239	234
Malaya.....	-	-	-	615	615	611	611	744	986	981	1412	1412	1446	1446	1446	1457	1458	1459	1471	1588	1517	1518	1515
Mali.....	42	42	47	54	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Morocco.....	1254	1559	3249	3249	3240	3153	3125	1130	8	1	-	-	-	-	-	-	-	-	-	-	-	-	-
Netherlands.....	-	-	-	6	6	6	6	6	6	6	6	6	5	5	5	5	5	5	6	6	6	6	6
New Zealand.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Nigeria.....	-	-	-	-	1462	1512	1806	1794	1678	1670	1670	1780	1769	1806	1713	1710	1709	1714	1686	1703	1686	1648	1671
Norway.....	22	29	52	84	75	107	114	106	111	125	117	131	98	101	886	130	141	133	150	153	137	145	158
Pakistan.....	1	250	522	542	540	539	539	539	549	547	548	546	145	990	968	577	577	577	576	671	681	680	682
Philippines.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Sierra Leone.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Sudan.....	142	142	141	197	197	194	194	487	408	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Sweden.....	842	157	241	879	580	877	862	834	813	783	838	805	888	1388	1335	863	980	888	885	874	901	1017	1086
Tanzania.....	1447	2643	2843	2679	2679	2997	2589	2575	3185	3154	3161	3199	1381	4	-	-	-	309	547	548	548	1049	1049
UAR.....	-	-	-	519	510	499	500	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Yugoslavia.....	-	-	20	21	21	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total.....	14421	17005	17594	18012	17443	17367	18065	15554	16689	17945	19347	19888	17807	16814	16994	15418	15733	15649	16581	16627	17259	17632	16887
Number of Contingents.....	24	25	27	27	28	26	24	25	23	23	21	21	21	20	19	18	19	18	20	20	19	18	18

Brookings Institution Chart: Based on official U.N. Records, 1965.

U.N. FORCE LEVELS IN THE CONGO: 1960-1964

Part 2: July 1962 - June 1964

Note: The last U.N. troops left the Congo on June 30, 1964.

Country	1962						1963												1964					
	July 4	Aug. 1	Sep. 5	Oct. 4	Nov. 1	Dec. 5	Jan. 2	Feb. 1	Mar. 1	Apr. 1	May 1	June 1	July 6	Aug. 1	Sep. 1	Oct. 4	Nov. 1	Dec. 1	Jan. 4	Feb. 1	Mar. 1	Apr. 2	May 2	June 1
Austria.....	45	67	47	47	47	45	44	35	26	36	33	32	29	2	2	-	-	-	-	-	-	-	-	-
Argentina.....	-	2	50	51	51	52	52	52	13	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Brazil.....	48	48	-	2	2	2	2	36	36	44	44	45	57	60	54	57	57	56	51	38	22	13	23	21
Burma.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Canada.....	316	317	324	315	328	311	310	311	317	311	299	303	263	267	254	248	243	250	250	150	254	253	240	181
Ceylon.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Congo.....	-	-	616	616	618	618	617	616	615	785	791	791	790	783	783	783	783	783	788	788	-	-	-	-
Denmark.....	91	97	99	100	100	100	100	170	265	263	263	136	136	96	96	96	88	88	83	98	92	90	90	79
Ecuador.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Ethiopia.....	3025	2988	3034	3036	3044	2993	2997	2987	2988	2988	1763	1737	1748	1733	1743	1733	1730	1727	1718	1717	1711	1969	1969	1915
Ghana.....	651	645	704	703	704	712	706	703	725	780	780	781	783	781	716	85	-	-	-	-	-	-	-	-
Greece.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Guinea.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
India.....	5708	5842	5737	5742	5722	5715	5623	5619	5605	1000	441	488	281	280	223	284	281	221	161	164	163	162	158	158
Indonesia.....	-	-	-	-	-	-	-	-	1773	3313	3312	3311	314	891	891	891	890	889	22	16	16	16	16	2
Iran.....	-	-	-	-	-	-	-	-	45	46	45	87	-	-	-	-	-	-	8	7	2	2	2	2
Iceland.....	740	739	735	733	759	868	867	866	874	868	865	587	587	584	586	582	57	362	355	356	352	352	350	21
Italy.....	68	68	68	63	63	63	54	53	53	53	53	58	58	65	68	61	62	59	51	56	54	53	50	49
Liberia.....	234	241	240	235	246	242	242	241	240	240	240	-	-	-	-	-	-	-	-	-	-	-	-	-
Malaya.....	1625	1621	1620	1618	1630	1627	789	786	782	752	3	-	-	-	-	-	-	-	-	-	-	-	-	-
Mal.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Morocco.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Netherlands..	7	6	6	6	6	6	6	6	6	6	6	48	42	48	47	48	1	1	1	-	-	-	-	-
New Zealand..	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Nigeria.....	1725	1730	1734	1825	1812	1849	1852	1885	1898	1866	1854	1197	668	656	997	996	1000	1013	1002	634	627	649	647	634
Norway.....	137	161	154	134	135	159	146	473	490	463	489	208	161	133	123	115	102	88	86	95	77	75	74	43
Pakistan.....	683	682	697	695	686	688	687	689	709	690	690	689	688	680	680	672	671	671	482	481	484	482	481	481
Philippines..	-	-	-	-	-	-	-	-	77	77	77	47	-	-	-	-	-	-	-	-	-	-	-	-
Sierra Leone	110	100	122	122	122	122	122	121	117	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Sudan.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Sweden.....	962	953	959	950	996	1010	1056	1061	1089	1085	871	860	832	828	798	736	554	333	396	398	375	377	272	63
Tunisia.....	1049	1049	1046	1043	1043	1043	1042	1042	1039	17	13	-	-	-	-	-	-	-	-	-	-	-	-	-
UAR.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Yugoslavia...	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total.....	17223	17326	17942	18035	18114	18225	18941	19378	19782	15643	12872	11849	7917	7787	8059	7267	6453	6535	5471	5392	4234	4220	4083	3247
Number of Contingents..	18	19	19	20	20	20	21	21	23	21	21	18	16	16	16	15	14	14	15	14	13	12	11	11

Brookings Institution Chart: Based on official U.N. Records, 1965.

CHART F

STRENGTH OF AFRICAN AND OTHER TROOPS IN THE U.N. CONGO FORCE

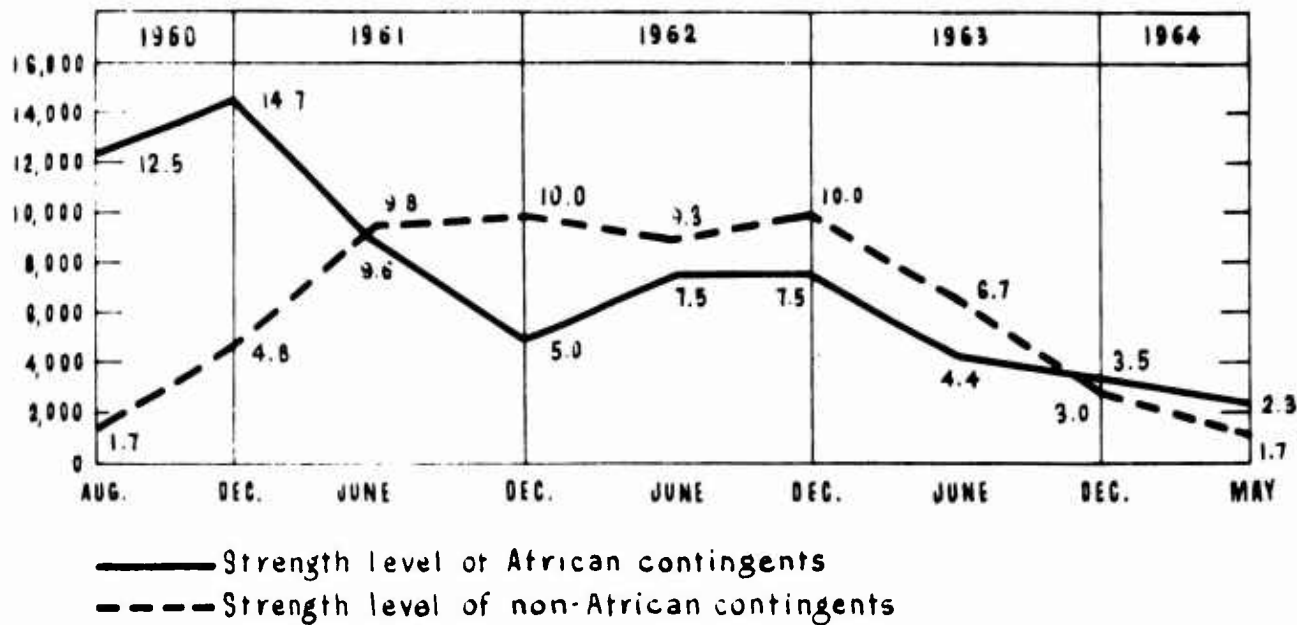
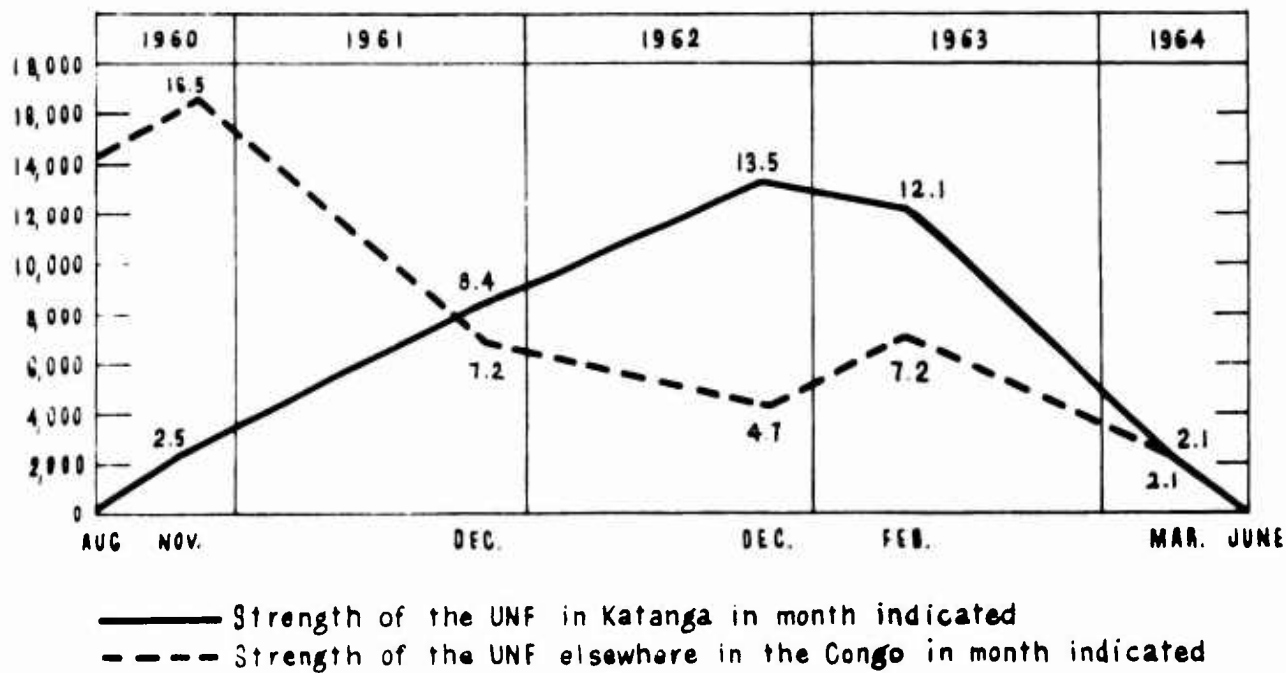


CHART G

STRENGTH OF U.N. FORCES IN KATANGA AND IN THE REST OF THE CONGO



THE LUMUMBA AND ADOULA GOVERNMENTS

Note: The members of the Lumumba Government as of June 1960, and the Adoula Government as of August 1961, are listed below as compiled by Catherine Hoskyns, The Congo Since Independence, (London: Oxford University Press, 1965), pp. 481-483.

*The Lumumba Government, June 1960*

<i>Name</i>	<i>Ministry</i>	<i>Constituency<sup>2</sup></i>	<i>Party<sup>3</sup></i>
Lumumba, Patrice	Prime Minister & Defence	Stanleyville	MNC
Gizenga, Antoine	Deputy Prime Minister	Kwilu (Léo.)	PSA
Bomboko, Justin	Foreign Affairs	Coquilhatville	Unimo
Bisukiro, Marcel	Commerce	Senate (Kivu)	Cerea
Delvaux, Albert	Minister resident in Belgium	Léopoldville	PNP
Kanza, Thomas	Minister at the UN	—	—
Mwamba, Remy	Justice	Senate (Katanga)	Balubakat
Gbenye, Christophe	Interior	Bas-Uélé (Or.)	MNC
Nkayi, Pascal	Finance	Bas-Congo (Léo.)	Abako
Kabangi, Alois	Co-ordination & Planning	Kabinda (Kasai)	MNC
Ilunga, Alphonse	Public Works	Luluabourg	UNC
Songolo, Alphonse	Communications	Stanleyville	MNC
Lutula, Joseph	Agriculture	Sankuru (Kasai)	MNC
Yav, Joseph	Economic Affairs	—	Conakat
Massena, Joachim	Labour	Kwilu (Léo.)	PSA
Mbuyi, Joseph	Middle Classes	—	MNC
Kamanga, Gregoire	Health	Luluabourg	Coaka
Rudahindwa, Edmond	Mines	South Kivu	Reco
Mahamba, Alex	Land	Senate (Kivu)	MNC
Ngwenza, Antoine	Social Affairs	—	Puna
Mulele, Pierre	Education	Kwilu (Léo.)	PSA
Kashamura, Anicet	Information	Bukavu	Cerea
Mpolo, Maurice	Youth	Lac Léopold II (Léo.)	MNC
Mobutu, Joseph	SS Presidency <sup>1</sup>	—	MNC
Lumbala, Jacques	SS Presidency	—	MNC
Mandi, André	SS Foreign Affairs	—	—
Kiwewa, Antoine	SS Commerce	Senate (Orientale)	MNC
Tshibangu, André	SS Finance	—	—
Liongo, Maximilien	SS Justice	—	—
Batshikama, Raphael	SS Interior	—	Abako
Nguvulu, Alphonse	SS Economic Planning	Defeated in Léo.	PP
Nyembo, Albert	SS Defence	Tanganika (Kat.)	Conakat
Bolamba, Antoine	SS Information	Defeated in Equateur	MNC
Grenfell, Georges	Min. of State	Stanleyville	MNC
Bolva, Paul	Min. of State	Senate (Equateur)	PNP
Kisolokele, Charles	Min. of State	Cataractes (Léo.)	Abako
Genge, André	Min. of State	—	Puna

<sup>1</sup> SS—Secretary of State.

<sup>2</sup> All constituencies unless otherwise marked refer to the Chamber of Representatives.

<sup>3</sup> For abbreviations see above, p. xi.

*The Adoula Government, August 1961*

<i>Name</i>	<i>Ministry</i>	<i>Previous Posts<sup>4</sup></i>	<i>Region of Origin</i>
Adoula, Cyrille	Prime Minister & Defence	Senator; Min. of Interior ( <i>Ileo</i> )	Equateur, but brought up in Léo.
Gizenga, Antoine	Deputy Prime Minister	Same ( <i>Lumumba</i> ); Prime Minister in Stanleyville Dec. 1960–Aug. 1961	Kwilu (Léo.)
Sendwe, Jason	Deputy Prime Minister	Balubakat Deputy	North Katanga
Bomboko, Justin	Foreign Affairs	Same ( <i>Lumumba &amp; Ileo &amp; College</i> )	Coquilhatville
Gbenye, Christophe	Interior	Same ( <i>Lumumba &amp; Gizenga</i> )	Bas-Uélé (Or.)
Ileo, Joseph	Information	Pres. of Senate; Prime Minister Feb.–Aug. 1961	Equateur, but brought up in Léo.
Pinzi, Arthur	Finance	Abako Deputy	Boma (Léo.)
Mwamba, Remy	Justice	Same ( <i>Lumumba &amp; Gizenga</i> )	North Katanga
Eleo, Ambroise	Economic Affairs	Min. Economics (Orientale Provincial Govt.)	Orientale
Kabangi, Alois	Co-ordination & Planning	Same ( <i>Lumumba &amp; Ileo</i> )	Kabinda (Kasai)
Kamanga, Gregoire	Health	Same ( <i>Lumumba</i> )	Luluabourg
Weregere, Jean-Chrysostome	Agriculture	Reco Deputy; Min. of Information ( <i>Gizenga</i> )	South Kivu
Kama, Sylvain	Communications	PSA Deputy	Kwilu (Léo.)

<sup>4</sup> *Lumumba*—Lumumba Govt. est. June 1960 (see Appendix I, A); *Ileo*—Ileo Govt. est. Feb. 1961 (see p. 315); *Gizenga*—Gizenga Govt. est. Dec. 1960 in Stanleyville (see p. 290); *College*—College of Commissioners est. Sept. 1960 (see p. 236).

## Appendix I (3)

<i>Name</i>	<i>Ministry</i>	<i>Previous Posts</i>	<i>Region of Origin</i>
Ngalula, Joseph		Provincial Deputy, Kasai; Bakwanga Deputy Prime Minister of South Kasai Govt.	
Kisolokele, Charles	Labour	Min. of State ( <i>Lumumba</i> ); Thysville (Léo.) Min. for Parastatals ( <i>Ileo</i> )	
Mongali, Michel	Youth	Independent Deputy	Lac Léopold II (Léo.)
Ilunga, Alphonse	Public Works	Same ( <i>Lumumba &amp; Ileo</i> )	Luluabourg
Rudahindwa, Edmond	Mines	Same ( <i>Lumumba &amp; Gizenga</i> )	South Kivu
Masikita, Pierre	Public Admin.	Luka Deputy	Kwango (Léo.)
Bisukiro, Edmond	Foreign Trade	Same ( <i>Lumumba &amp; Gizenga</i> )	North Kivu
Mungumba, Ferdinand	P.T.T.	MNC Deputy	Bas-Uélé (Or.)
Mahamba, Alex	Land	Same ( <i>Lumumba</i> ) SS ( <i>Ileo</i> )	North Kivu
Asumani, Senghie	Social Affairs	MNC Senator	Haut Congo (Or.)
Badibanga, Samuel	Portfolio	MNC(K) Deputy; led Kasavubu's delegation to UN Nov. 1960	South Kasai
Lumanza, Albert	Tribal Affairs	Deputy	Ubangi (Eq.)
Lutula, Joseph	Middle Classes	Min. Agriculture ( <i>Lumumba &amp; Gizenga</i> )	Sankuru (Kasai)
Kabangi-Numbi, Fortunat	SS Finance	Balubakat Deputy	Haut Lomami (Kat.)
Muhunga, Ambroise	SS Mines	Atcar Deputy	Lualaba (Kat.)
Kapongi, Sébastien	SS Foreign Affairs	PNP Deputy	Lulua (Kasai)
Tshishiku, Marcel	SS Economic Affairs	PNP Deputy	Luluabourg
Kihuyu, Etienne	SS Agriculture	MNC Deputy	Sankuru (Kasai)
Anekonzapa, André	SS Foreign Trade	PNP Deputy	Mongala (Eq.)
Lengema, Marcel	SS Foreign Affairs	Same ( <i>Gizenga</i> )	Stanleyville
Uketwengu, Désiré	SS Public Admin.	MNC Deputy; Min. Labour ( <i>Gizenga</i> )	Ituri (Or.)
Bondhe, Theodore	SS Defence	MNC Deputy	Stanleyville
Kambale, Alphonse	SS Interior	Cerea Deputy	North Kivu
Tatiti, Justin	SS Foreign Affairs	PSA Senator	Kwango (Léo.)
Zola, Emile	SS Information	Abako Deputy	Cataractes (Léo.)
Bolya, Paul	SS Justice	Min. of State ( <i>Lumumba</i> ); Min. of Public Admin. ( <i>Ileo</i> )	Equateur
Omari, Noel	SS Communications		Kivu
Mbariko, Laurent	SS Planning	PSA Senator	Kwango (Léo.)

Appendix J

TELEGRAMS FROM THE CONGO REQUESTING U.N. MILITARY ASSISTANCE

**Note:** These two telegrams, dated July 12 and 13, 1960, were sent by the President and Prime Minister of the Republic of the Congo to the Secretary-General and were circulated by him on July 13 as U.N. Document S/4382.

**I. TELEGRAM DATED 12 JULY 1960 FROM THE PRESIDENT AND THE PRIME MINISTER OF THE REPUBLIC OF THE CONGO TO THE SECRETARY-GENERAL**

The Government of the Republic of the Congo requests urgent dispatch by the United Nations of military assistance. This request is justified by the dispatch to the Congo of metropolitan Belgian troops in violation of the treaty of friendship signed between Belgium and the Republic of the Congo on 29 June 1960. Under the terms of that treaty, Belgian troops may only intervene on the express request of the Congolese Government. No such request was ever made by the Government of the Republic of the Congo and we therefore regard the unsolicited Belgian action as an act of aggression against our country.

The real cause of most of the disturbances can be found in colonialist machinations. We accuse the Belgian Government of having carefully prepared the secession of Katanga with a view to maintaining a hold on our country. The Government, supported by the Congolese people, refuses to accept a *fait accompli* resulting from a conspiracy between Belgian imperialists and a small group of Katanga leaders. The overwhelming majority of the Katanga population is opposed to secession, which means the disguised perpetuation of the colonialist régime. The essential purpose of the requested military aid is to protect the national territory of the Congo against the present external aggression which is a threat to international peace. We strongly stress the extremely urgent need for the dispatch of United Nations troops to the Congo.

(Signed) Joseph KASAVUBU  
*President of the Republic of the Congo and  
Supreme Commander of the National Army*

(Signed) Patrice LUMUMBA  
*Prime Minister and Minister of National Defence*

**II. TELEGRAM DATED 13 JULY 1960 FROM THE PRESIDENT AND THE PRIME MINISTER OF THE REPUBLIC OF THE CONGO TO THE SECRETARY-GENERAL**

In connexion with military assistance requested of the United Nations by the Republic of the Congo, the Chief of State and the Prime Minister of the Congo make the following clarification: (1) the purpose of the aid requested is not to restore the internal situation in Congo but rather to protect the national territory against acts of aggression committed by Belgian metropolitan troops. (2) The request for assistance relates only to a United Nations force consisting of military personnel from neutral countries and not from the United States as reported by certain radio stations. (3) If the assistance requested is not received without delay the Republic of the Congo will be obliged to appeal to the Bandung Treaty Powers. (4) The aid has been requested by the Republic of the Congo in the exercise of its sovereign rights and not in agreement with Belgium as reported.

(Signed) Joseph KASAVUBU  
*President of the Republic of the Congo*

(Signed) Patrice LUMUMBA  
*Prime Minister and Minister of National Defence*

FIRST REPORT OF THE SECRETARY-GENERAL ON THE IMPLEMENTATION OF

THE JULY 14, 1960, SECURITY COUNCIL RESOLUTION

Note: This initial report by Secretary-General Hammarskjöld contains his basic interpretation of the role of the U.N. Force in the Congo. It was circulated as U.N. Document S/4389, Add. 1-6, SCOR, Supplement for July, August, September, 1960 (July 18, 1960), pp. 16-24.

1. By the resolution adopted by the Security Council at its 873rd meeting on 13-14 July 1960, the Council, after considering the report from the Secretary-General and the request for military assistance [S/4382] addressed to the Secretary-General by the President and the Prime Minister of the Republic of the Congo, authorized the Secretary-General "to take the necessary steps, in consultation with the Government of the Republic of the Congo, to provide the Government with such military assistance as may be necessary until, through the efforts of the Congolese Government with the technical assistance of the United Nations, the national security forces may be able, in the opinion of the Government, to meet fully their tasks". The Council also "called upon the Government of Belgium to withdraw its troops from the territory of the Republic of the Congo". The Security Council requested the Secretary-General to report to the Council as appropriate.

2. This first progress report on the implementation of the resolution of the Security Council is submitted with reference to this request.

*The mandate*

3. The resolution of the Security Council was adopted in response to my initial statement to the Council [873rd meeting, paras. 18-29]. Therefore, that statement may be regarded as a basic document on the interpretation of the mandate. In the statement I made clear my view of the main purpose of the introduction of a United Nations Force in the Congo as well as of the relationship between this action and a withdrawal of Belgian troops. I also stated in general terms what legal principles in my view should apply to the operation.

4. However, even with these explanations of my intentions and of my interpretation of the situations, important points were left open for an interpretation in practice. In submitting this first progress report, I want not only to bring to the knowledge of the Council what so far has been achieved, but also what lines I have followed concerning the implementation of the authorization.

5. I indicated as a "sound and lasting solution" to the difficulties which had arisen in the Congo the re-establishment of the instruments of the Government for the maintenance of order. It was implied in my presentation that it was the breakdown of those instruments which had created a situation which through its consequences represented a threat to peace and security justifying United Nations intervention on the basis of the explicit request of the Government of the Republic of the Congo. Thus the two main elements, from the legal point of view, were on the one hand this request and, on the other hand, the implied finding that the circumstances to which I had referred were such as to justify United Nations action under the Charter. Whether or not it was also held that the United Nations faced a conflict between two parties was, under these circumstances, in my view, legally not essential for the justification of the action. However, I pointed out that, on the basis of the interpretation I had given, it would be understood that, were the United Nations to act as I proposed, the Belgian Government "would see its way to a withdrawal", and the Council itself called upon the Belgian Government to withdraw its troops.

6. In order to assist the Government of the Republic of the Congo to re-establish its administration, specifically in the field of security, certain decisions had already been taken by me in response to a general appeal from the Government. However, they could yield results only after a certain time and in the meanwhile there was a need for a stop-gap arrangement, established by the United Nations in consultation with the Government, no preferable alternative arrangements being available for the intermediate period which might have to pass until, in the words of the resolution, "the national security forces may be able, in the opinion of the Government, to meet fully their tasks". Thus, the Force introduced is to be regarded as a temporary security force, present in the Republic of the Congo with the consent of the Government for the time and the purpose indicated.



7. Although the United Nations Force under the resolution is dispatched to the Congo at the request of the Government and will be present in the Congo with its consent, and although it may be considered as ~~serving as an arm of the Government for the maintenance of order and protection of life—tasks which naturally belong to the national authorities and which will pass to such authorities as soon as, in the view of the Government, they are sufficiently firmly established—the Force is necessarily under the exclusive command of the United Nations, vested in the Secretary-General under the control of the Security Council.~~ This is in accordance with the principles generally applied by the Organization. The Force is thus not under the orders of the Government nor can it, as I pointed out in my statement to the Council, be permitted to become a party to any internal conflict. A departure from this principle would seriously endanger the impartiality of the United Nations and of the operation.

8. Another principle which I consider as generally applicable and, therefore, as basic also to the present operation, is that, while, on its side, the host Government, when exercising its sovereign right with regard to the presence of the Force, should be guided by good faith in the interpretation of the purpose of the Force, the United Nations, on its side, should be understood to be determined by similar good faith in the interpretation of the purpose when it considers the question of the maintenance of the Force in the host country. This principle is reflected in the final phrase of the relevant paragraph of the resolution authorizing the Secretary-General to provide the Government of the Republic of the Congo with United Nations military assistance.

9. From this basic understanding regarding the presence of a United Nations Force in the country it follows that the United Nations activity should have freedom of movement within its area of operations and all such facilities regarding access to that area and communications as are necessary for a successful accomplishment of the task. A further elaboration of this rule obviously requires an agreement with the Government, i.e. specifying what is to be considered the area of operations.

10. Regarding the composition of the Force, there is another general principle which, in the light of previous experience, I find it necessary to apply. In the report to which I referred in my statement to the Security Council, it is stated that "while the United Nations must reserve for itself the authority to decide on the composition of such [military] elements, it is obvious that the host country, in giving its consent, cannot be indifferent to the composition of those elements". The report continues: "In order to limit the scope of possible differences of opinion, the United Nations in recent operations has followed two principles: not to include units from any of the permanent members of the Security Council; and not to include units from any country which, because of its geographical position or for other reasons, might be considered as possibly having a special interest in the situation which has called for the operation... It would

seem desirable to accept the formula ... to the effect that, while it is for the United Nations alone to decide on the composition of military elements sent to a country, the United Nations should, in deciding on composition, take fully into account the view of the host Government as one of the most serious factors which should guide the recruitment of the personnel. Usually, this is likely to mean that serious objections by the host country against participation by a specific contributing country in the United Nations operation will determine the action of the Organization. However, were the United Nations for good reasons to find that course inadvisable, it would remain free to pursue its own line, and any resulting conflict would have to be resolved on a political rather than on a legal basis." <sup>12</sup> I recommended, in the report quoted, that this principle should be considered applicable to all United Nations operations of the present kind. The problem is in this particular case covered by the request for consultations with the Congo Government. In my statement to the Council I pointed out that, while I consider that the aforementioned principle excludes military units in the Force from any of the permanent members of the Security Council, I, in fact, had the "intention to get, in the first place, assistance from African nations".

11. Among other principles which I consider essential to this operation, I may mention the following.

12. The authority granted to the United Nations Force cannot be exercised within the Congo either in competition with representatives of the host Government or, in co-operation with them in any joint operation. This naturally applies *a fortiori* to representatives and military units of other Governments than the host Government. Thus, the United Nations operation must be separate and distinct from activities by any national authorities.

13. Likewise, it follows from the rule that the United Nations units must not become parties in internal conflicts, that they cannot be used to enforce any specific political solution of pending problems or to influence the political balance decisive to such a solution. Apart from the general reasons for this principle, there is the specific one, that it is only on this basis that the United Nations can expect to be able to draw on Member countries for contributions in men and material.

14. To all United Nations personnel used in the present operation the basic rules of the United Nations for international service should be considered as applicable, particularly as regards full loyalty to the aims of the Organization and abstention from actions in relation to their country of origin which might deprive the operation of its international character and create a situation of dual loyalty.

15. In my initial statement I recalled the rule applied in previous United Nations operations to the effect that

the military units would be entitled to act only in self-defence. In amplification of this statement I would like to quote the following passage from the report to which I referred: "... men engaged in the operation may never take the initiative in the use of armed force, but are entitled to respond with force to an attack with arms, including attempts to use force to make them withdraw from positions which they occupy under orders from the Commander",<sup>13</sup> acting under the authority of the Security Council and with the scope of its resolution. "The basic element involved is clearly the prohibition against any *initiative* in the use of armed force."<sup>13</sup>

#### *The composition of the Force*

16. Before reporting on the steps taken for the building up of the Force and on the agreements reached with a number of Governments regarding contributions to the Force, I wish to make some general observations.

17. As stated to the Security Council on 13 July 1960, the ultimate solution to the problem that has arisen in the Congo has to be found by the Republic of the Congo itself, with the assistance of the United Nations. In the same spirit I believe that, to the extent that the Republic of the Congo needs international assistance, such assistance should, within the framework of the United Nations, in the first instance be given by its sister African nations, as an act of African solidarity. However, this natural reliance on regional solidarity for the solution of a problem of this kind should be qualified by an element of universality natural—and indeed essential—to any United Nations operation. Therefore, while the Force, in my view, should be built around a hard core of military units from African States, it should also, to the extent which might be found practical, include units from other areas which meet the general conditions for the composition of a United Nations Force to which I have referred above.

18. Thus, in my view, the present operation is, in the first place, a manifestation of the willingness and ability of the African States to help within the framework of the United Nations, of which I have found the most convincing evidence in the course of this effort. Elements from other regions, included in the Force, may be considered as assistance given, in the spirit of the Charter, to the African community of nations by nations of those other regions. With this approach, the present operation should serve to strengthen the African community of nations and to strengthen also their ties, within the United Nations, with the world community. It would be wholly unjustified to interpret the United Nations action in the sense that nations from outside the region step into the Congo situation, using the United Nations as their instrumentality, because of the incapability of the Congo and of the African States themselves to make the basic contribution to the solution of the problem.

19. My efforts to build up the Force have been guided by this interpretation of the United Nations operation. For that reason I have, in the first place, appealed to African States for troops, addressing myself in a second stage to other nations meeting the conditions which are generally applicable, and con-

tinuing my efforts to activate further African units to the extent necessary. While the requests for troops so far presented by me, or offers of troops accepted by me, follow the pattern just stated, I have already in the first stage addressed a series of appeals for support in such fields as logistics, signals, material, aircraft and specialized personnel to those countries which are most likely to provide them at very short notice, irrespective of their geographical position.

20. Apart from being influenced by the factors which I have explained above, I have, naturally, been guided by considerations of availability of troops, language and geographical distribution within the region.

21. Even before the decision of the Security Council I was informed by the Republic of Ghana that it had responded favourably to an urgent demand from the Government of the Republic of the Congo for military assistance and that it wanted this assistance to be integrated in the general United Nations effort which the Government anticipated, after having been informed of the convening of the Security Council and of my proposals to the Council. Likewise, the Governments of Guinea, Morocco and Tunisia informed me at this early stage of their willingness to put, forthwith, military units at the disposal of the United Nations. These offers have been accepted and the troops have been or will be airlifted to the Congo as quickly as practicable. Some short delays have been unavoidable for logistic reasons or because of the necessity to stagger the airlifts.

22. Immediately after the end of the meeting of the Security Council, in the morning of 14 July 1960, I addressed appeals for assistance to the Chiefs of State of all African Member nations north of the Congo and of the Federation of Mali, either asking directly for troops or, where language difficulties could be foreseen, asking for an immediate discussion with their Permanent Representatives at the United Nations about the best form in which the country concerned could render help. A full account of the results of this appeal and of arrangements made will be given in the following paragraphs. At this point I wish to state that I immediately accepted an offer of troops also from Ethiopia, thus getting in the first set-up of the Force adequate representation from North Africa, West Africa and East Africa. As will be clear from the detailed report on arrangements made, the five countries specifically mentioned provide the Force with an initial strength of seven battalions, numbering more than 4,000 men.

23. I have received promises of additional battalions from several French-speaking African countries, as well as from some English-speaking nations in Africa. An offer from the Federation of Mali has been accepted and will be activated at a somewhat later stage. In the light of the general approach to which I referred above, I am activating the other offers as necessary.

24. Following the pattern which I have previously explained, I have, with the establishment of an initial Force of seven battalions from five African countries, completed a first phase of the building up of the Force. For a second phase I have appealed for assistance in the form of troops from three European, one Asian and one Latin American country, meeting the general conditions applying to a United Nations Force. In one of these cases, Sweden, I have asked and received permission, on a temporary basis, to transfer the Swedish battalion of the United Nations Emergency Force (UNEF) in Gaza to the Congo by an airlift which is

likely to be carried out on Wednesday, 20 July, thus bringing the total strength up to eight battalions.

25. As regards assistance in other forms, I have reached agreement on the sending of police companies from a number of African States. I have also appealed for aircraft, heavy equipment and specialized personnel from some of those countries. Apart from its other contribution, Ghana has undertaken to provide the Force with two military medical units.

26. Requests for heavy material and aircraft as well as for signals and other parts of the logistic support have been addressed to a number of non-African States: as regards signals, a special difficulty has been created by the fact that the personnel should, if at all possible, be bilingual, having a knowledge of both French and English.

27. Appeals for assistance with air transport have been addressed to three non-African nations.

28. The response to all these various appeals has been favourable.

29. I have appointed Major-General Carl von Horn, Sweden, Supreme Commander of the Force. As Chief of Staff of the United Nations Truce Supervision Organization for three years, General von Horn has already had considerable experience as a senior military representative of the United Nations. He will be assisted by a small personal staff of officers drawn from the group under his command in Jerusalem. I have directed a request to India to make available to me a senior officer as military adviser in the Executive Office of the Secretary-General.

30. In broad outline, this completes the picture of the geographical distribution sought for the Force in implementation of the decision of the Security Council on the basis of the principles outlined above. It reflects my wish to give to the African community of nations the central position which in this case is their due, while maintaining the universal character of a United Nations operation. As the composition of the Force is still not completed, I can in the following stages make such adjustments as the Security Council may find desirable, but I wish to express my hope that the steps so far taken on the basis of the authority given to me by the Council will meet with the approval of the Council.

#### *State of implementation of the Council's decision*

31. I now turn to the detailed information which, at the present moment, can be given to the Council regarding the implementation of its decision.

32. At the time of writing of this report, about 3,500 troops in addition to substantial equipment from four of the contributing countries have arrived in Leopoldville. The 3,500 consist of 400 troops from Ethiopia, 770 troops from Ghana, 1,250 troops from Morocco and 1,020 troops from Tunisia. Each of the battalions is well equipped. As stated above, offers have also been accepted from the Republic of Guinea and the Federation of Mali. Groups of some 700 men will be added later this week from Guinea.

33. On 20 July, 635 men of the Swedish battalion in UNEF will be airlifted to Leopoldville to serve for one month in the Congo; a small rear party of the battalion will remain in Gaza. Meanwhile, arrangements are being made for the airlifting of other contingents

for the Force, including police units, hospital units, and signals and logistics personnel.

34. As it is essential that troops should be deployed at many points throughout the country, the Force will have to be built up to a level considerably higher than that attained so far.

35. The Ethiopian troops were airlifted by their own air force. The airlifting of the balance of the Force has been made possible by assistance granted at my request from the United Kingdom and United States Governments. The British Government has provided aircraft to transport elements of the contingent of Ghana, while thirty-three aircraft of the United States Air Force have been used to transport the Tunisian and Moroccan contingents and to assist in the later stages of the transportation of the contingent from Ghana.

36. To meet the requirements of reconnaissance and mobility within such a large country as the Congo, troop-carrying trucks, aircraft of the DC-3 type, small reconnaissance aircraft and helicopters are being contributed by Member countries as part of the equipment of the Force.

37. Since United Nations contingents began to arrive before the arrival of the Commander and because of the generally unsettled situation in the country, on 15 July, I appointed Mr. Ralph J. Bunche, my Special Representative in the Congo, as Commander *ad interim* of the Force with immediate effect. On 16 July, he deployed United Nations units to the radio station, power station, Harvard Boulevard and the European sector of Leopoldville. On 17 July, he deployed further units at Stanleyville, Matadi, Thysville and Coquilhatville.

38. The arrival of the troops of the United Nations Force in Leopoldville has already had a salutary effect and the growing recognition of its role as a Force for the restoration of peace and order will contribute to its increasing effectiveness.

39. General von Horn took over the command of the Force on the morning of 18 July. He is continuing with all possible speed to deploy units at strategic points and in critical areas of tension. Because of the major task which confronts the Supreme Commander in taking over the command of the Force in its organization at its inception, he has been authorized to use for a short period limited numbers of officers who have been selected from the United Nations Truce Supervision Organization in Jerusalem to assist in connexion with the programme of technical assistance in the field of security administration.

40. The general disorder combined with the breakdown of transportation and public services led to a threatened food shortage which it was necessary to avert. Consequently, at the request of the Government of the Congo, I made appeals to the Governments of Canada, Denmark, France, India, Italy, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America for food. The response to this appeal has been generous. The contributions so far pledged are from Canada, Denmark, France, India, the Soviet Union, the United Kingdom and the United States. A contribution has also been offered by Switzerland.

41. Some of this food is being flown into Leopoldville at the present time by United States, British, Canadian and Soviet aircraft. In addition, the Swiss Government has responded to my request to provide Swiss aircraft to assist in the transport of food and other supplies. Some of the food is being concentrated in the United Nations depot at Pisa awaiting airlift to Leopoldville. A further staging point and depot for this and other purposes connected with the United Nations operations in the Congo has been established at Kano, Nigeria, as assistance granted by the Government of Nigeria.

42. The Secretariat is in touch with twenty-seven countries for contributions to the establishment of the United Nations Force or to the food supplies in response to my appeal. I am deeply gratified with the generous response which has made possible the early activation of United Nations influence. It is hoped that the Force can be brought up to its necessary strength and effectiveness with no loss of the quickness of action that has so encouragingly characterized the development of the Force in the period since the Security Council met on 13-14 July.

#### *Withdrawal of Belgian troops*

43. As recalled above, the resolution of the Security Council refers also to the withdrawal of Belgian troops. Both at Headquarters and in Leopoldville, we remain in close touch with this aspect of the problems covered by the resolution.

44. I have been informed by my representative in Leopoldville that he has received from the Belgian Ambassador a letter according to which instructions have been given to the Belgian Commander in the Congo to the effect that Belgian military interventions should be limited to what is called for by the security needs of Belgian nationals and that in all other matters the Belgian Command has been advised to abide by the instructions of the military command of the United Nations Forces. The letter further states that in case of grave and imminent danger the Belgian forces will continue to take the necessary security measures, but that in each case they will immediately refer the matter to the military command of the United Nations. The Belgian military command, according to the letter, has been ordered to impose strict discipline upon its forces in the Congo, and has been told to co-operate to the fullest extent when any request is made to it by the United Nations.

45. My representative in Leopoldville has also been informed that, following the arrival of United Nations Forces, Belgian units amounting to one company and one platoon left Leopoldville on 17 July 1960. They are being kept at the disposal of the Commander of the Belgian metropolitan forces to answer calls of help where there are no United Nations troops available.

46. I wish to draw the attention of the Council to the fact that this statement refers to the situation as at 17 July 1960. Discussions are continuing and I shall report separately on the development.

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## Appendix L

### STATUS AGREEMENT BETWEEN THE SECRETARY-GENERAL AND THE CONGOLESE

GOVERNMENT: NOVEMBER 27, 1961

**Note:** This elaborate Status Agreement, signed by Acting Secretary-General U Thant and Justin Bomboko, Foreign Minister of the Government of the Republic of the Congo, on November 27, 1961, can be regarded as a status of forces agreement covering both military and civilian personnel in the Congo. It was circulated as Document S/5004 and distributed to the General Assembly as Document A/4986. This agreement supersedes the brief Basic Agreement of July 29, 1960. (See Appendix E.)

The acting Secretary-General of the United Nations has the honour to circulate herewith the text of an agreement between the United Nations and the Republic of the Congo (Leopoldville), signed on 27 November 1961 by the Minister of Foreign Affairs of the Republic of the Congo and the acting Secretary-General, relating to the legal status, facilities, privileges and immunities of the United Nations in the Congo.

The Prime Minister of the Republic of the Congo, who authorized the signing, has informed the acting Secretary-General that this agreement will be formally confirmed by the Council of Ministers.

#### AGREEMENT BETWEEN THE UNITED NATIONS AND THE REPUBLIC OF THE CONGO (LEOPOLDVILLE)

The United Nations and the Government of the Republic of the Congo (hereinafter referred to as "the Government") :

Desiring to conclude an agreement for the purpose of carrying out the resolutions of the Security Council concerning the Republic of the Congo, and to determine the details of the application of their basic agreement of 27 July 1960 ;<sup>37</sup>

Recalling the request of the Government to the United Nations for military assistance and its acceptance of the resolutions of the Security Council ; and

Having regard to the provisions of the United Nations Charter for mutual assistance in carrying out the measures decided upon by the Security Council, and for the privileges and immunities necessary for the fulfilment of the purposes of the United Nations,

Have agreed as follows :

#### *Respect for local law and international status*

1. Members of the United Nations Force in the Congo and all officials serving under the United Nations in the Congo shall respect the laws and regulations of the Republic of the Congo. They shall refrain from any activity of a political character in the Congo and from any action incompatible with their international responsibilities. The Special Representative of the Secretary-General shall ensure the observance of these obligations.

2. The United Nations shall possess sole competence with respect to decisions concerning the composition of the military units sent to the Congo, it being understood at the same time that the United Nations shall, in determining their composition, give every consideration to the opinion of the Government as one of the most important factors to be borne in mind in connexion with recruitment.

3. In so far as consistent with the relative provisions of the United Nations Charter and the independent exercise of its functions, the Secretary-General shall pay all due attention to any pertinent information transmitted to him by the Government concerning United Nations officials who have been assigned to duty with the United Nations in the Congo, as well as concerning local personnel employed by the United Nations.

#### *Entry, exit and identification*

4. Members of the Force shall be exempt from passport and visa regulations and immigration inspection or restrictions. Officials serving under the United Nations in the Congo and members of their families living at their expense shall be exempt from immigration restrictions and alien registration.

5. The first entry of members of the Force into the territory of the Republic may be by military movement order, a national military identity card and the certificates of vaccination as provided in international conventions. Thereafter the personal identity card

<sup>37</sup> *Ibid.*, Fifteenth Year, Supplement for July, August and September 1960, document S/4389/Add.5.



issued to them under the authority of the Special Representative of the Secretary-General shall be recognized by all authorities as valid and sufficient identification. Members of the Force shall be bound to present their identity cards, if requested, but not to surrender them.

6. The United Nations *laissez-passer* shall be recognized as a valid travel document. This *laissez-passer*, as well as the personal identity cards issued to United Nations officials in the Congo by the Special Representative of the Secretary-General, shall be recognized by all authorities as valid and sufficient identification.

7. (a) Requests for visas made by holders of a *laissez-passer* and accompanied by a certificate stating that these officials are travelling on United Nations business shall be given the speediest possible consideration.

(b) The same privileges shall be granted to experts and other persons who do not hold a United Nations *laissez-passer* but who carry a certificate stating that they are travelling on United Nations business.

(c) Persons granted the privileges referred to in this article shall obtain the certificates of vaccination as provided in international conventions.

(d) Persons holding a *laissez-passer* and also experts or other persons travelling on United Nations business who come from a country where the Republic of the Congo is not represented, or who are unable for any other reason to obtain a visa before their arrival in the Congo, shall be permitted to enter without a visa which shall be delivered to them after their arrival by the Ministry of Foreign Affairs.

8. The Government shall be kept informed of the following :

(a) the arrival and departure of military units serving in the Force, as well as their numbers and nationality ;

(b) the arrival and final departure of members of the Force who are not transferred at the same time as the rest of their national contingent ;

(c) the arrival and final departure of officials serving under the United Nations, or the termination of their services ;

(d) the arrival or final departure of a member of the family of an official serving under the United Nations, or of a member of the Force ;

(e) the appointment or discharge of persons residing in the Congo as officials employed in the service of the United Nations.

9. Members of the Force shall be subject to the exclusive jurisdiction of their respective national State in respect of any criminal offences which may be committed by them in the Congo. Officials serving under the United Nations in the Congo shall be immune from legal process in respect of all acts performed by them in their official capacity. They shall be immune from any form of arrest or detention.

10. In respect of matters not falling within article 9, the Government in the exercise of its sovereignty under-

takes to refrain from any act of arrest, detention, seizure of personal property, or other form of legal process against members of the Force or officials serving under the United Nations in the Congo or their dependants until after completion of the following procedures :

(a) If the authorities of the Government possess evidence that an official or a dependant of such official has committed an offence against the penal laws of the Republic of the Congo all such evidence shall be communicated to the Special Representative of the Secretary-General, who shall conduct any supplementary inquiry necessary to obtain evidence. The Government and the United Nations will then arrive at an agreement as to whether the international Organization should institute disciplinary procedures within the terms of its appropriate regulations or whether the Government shall institute legal action. Failing an agreement, the matter shall be submitted to arbitration at the request of either Party ;

(b) If as a result of any act performed by a member of the Force or an official in the course of his official duties, it is alleged that loss or damages that may give rise to civil proceedings has been caused to a citizen or resident of the Congo, the United Nations shall settle the dispute by negotiation or any other method agreed between the parties ; if it is not found possible to arrive at an agreement in this manner, the matter shall be submitted to arbitration at the request of either party ;

(c) If evidence is submitted of the existence of an obligation at civil law binding upon or in favour of a member of the Force or an official serving under the United Nations in the Congo or a dependant of such member of the Force or official, and arising out of his presence in the Congo but not related to his official duties, the United Nations shall use its good offices to assist the parties in arriving at a settlement. If the dispute cannot be settled in this manner, or by any other agreed mode of settlement, it shall be submitted to arbitration at the request of either party.

11. The foregoing arrangements concerning jurisdiction are made having regard to the special functions of the United Nations in the Congo, and are not for the personal benefit of members of the Force or officials in the service of the United Nations. The Special Representative of the Secretary-General shall arrange for any arbitral procedure necessary to hear and decide such disputes as have to be submitted to arbitration under the provisions of article 10. They may, should they find it warranted, establish a claims commission and instruct it to consider all or any types of claim listed in article 10.

12. The Supreme Commander of the United Nations Force in the Congo shall take all appropriate measures to ensure the discipline and good order of members of the Force. For this purpose United Nations military

police may undertake the surveillance of the premises occupied by the United Nations, the areas in which the Force is deployed, and, in liaison with local authorities, wherever necessary to maintain such discipline and order. The military police shall have the power of arrest over members of the Force.

13. A member of the military personnel or an official serving under one of the parties to the present agreement may not be arrested by the authorities of the other party, unless the competent authorities to whom he is responsible are unable to act with the necessary speed to apprehend him at the time when he commits, or attempts to commit, an offence which may result in serious harm to persons or property; however, a person apprehended in this way, as well as any object seized in connexion with the offence, must be delivered immediately to the nearest authority to whom the person in question is responsible. These provisions shall be without prejudice to the right possessed by the ONUC, under its authority to assist in preserving order, to take into custody other persons in order to deliver them to the authorities, whether Congolese or not, to whom they are responsible.

14. The United Nations and the Congolese authorities shall assist each other in the carrying out of all necessary investigations into offences which are of concern to either or both parties, in the hearing of witnesses, and in the collection and production of evidence.

#### *Privileges and immunities*

15. The United Nations, its property and assets, and the property and assets in the Congo of the States participating in the United Nations Force shall be immune from every form of legal process, from search and requisition and from any other form of governmental interference. The documents of the United Nations and of the participating States shall be inviolable, wherever they may be.

16. The United Nations, its property and assets, and the property and assets of the States participating in the Force situated in the Congo for the purposes of the Force shall be exempt from:

(a) Taxes of every kind. It is understood, however, that the United Nations shall not request exemption from taxes that do not exceed the mere remuneration of services performed by public utilities;

(b) Customs duties and from prohibitions or restrictions on imports and exports relating to articles imported by or on behalf of the United Nations or by the participating States in application of any part of the United Nations programme in the Congo. The right of the United Nations to import goods free of duty includes the right to import certain articles for sale exclusively to members of the Force and to officials of the United Nations, in service institutes and canteens. It is understood, however, that articles thus imported free of duty shall not be resold on Congolese territory

to third parties, save at conditions approved by the Government;

(c) Customs duties and from prohibitions and restrictions on imports and exports in respect of their publications.

17. Arrangements shall be made for the remission or return to the United Nations of the amount of any duties and taxes which are included in the price paid by the United Nations in any important purchases which it may make in the Congo.

18. (a) Members of the Force and officials serving under the United Nations in the Congo shall be exempt from direct taxes. They shall be exempt from personal contributions. Their papers and documents shall be inviolable;

(b) Members of the Force and officials serving under the United Nations in the Congo shall have the right to import free of duty their personal effects when taking up their posts in the Congo, and subsequently, such articles as the United Nations administrative services may certify as being required by these persons by reason of their presence in the Congo under the United Nations, it being understood that articles imported in this manner shall not be sold on Congolese territory to third parties, save at conditions approved by the Government;

(c) Members of the Force and officials serving under the United Nations are exempt from inspection of their personal baggage, unless there are good reasons for supposing that it contains undeclared articles not covered by the exemptions referred to in paragraph (b) of this article, or articles, the import or export of which is prohibited by law or falls under the quarantine regulations of the Republic of the Congo. In such cases, the inspection shall be carried out only in the presence of the member of the Force or official concerned, or of his representative.

19. As regards the rules of precedence observed in the Republic of the Congo, the Special Representative shall immediately follow the President of the Republic; in particular, he shall take precedence over all the heads of diplomatic missions.

20. The funds, currencies and accounts of the United Nations are free from financial controls.

21. The Government shall, if requested by the United Nations, make available to the United Nations against reimbursement in United States dollars or other currency mutually acceptable, Congolese currency required for the use of the United Nations activities and programme in the Congo, including the pay of the members of national contingents, at the most favourable official rate of exchange.

22. Officials serving under the United Nations in the Congo shall be accorded the same facilities in respect of currency or exchange restrictions as are accorded to



officials of comparable rank forming part of diplomatic missions to the Government.

23. On their departure from the Congo members of the Force shall be entitled, notwithstanding any foreign exchange regulations, to take with them such sums as are certified by the competent United Nations finance officer or the paymaster of the contingents as having been received in pay and emoluments from the United Nations or the national Government in question for service in the Congo and are a reasonable residue thereof.

#### *Premises*

24. The Government shall provide, in agreement with the United Nations accommodation service, such buildings or areas for headquarters, camps or other premises as may be necessary for the accommodation of the personnel and services of the United Nations and enable them to carry out their functions. Without prejudice to the fact that all such premises remain Congolese territory, they shall be inviolable and subject to the exclusive control and authority of the United Nations. This authority and control extend to the adjacent public ways to the extent necessary to regulate access to the premises. The United Nations alone may consent to the entry of any government officials to perform duties on such premises or of any other person. Every person who so desires for a lawful purpose shall be allowed free access to the premises placed under the authority of the United Nations.

25. If the United Nations should take over premises previously occupied by private persons and thus represented a source of income, the Government shall assist the United Nations to lease them at a reasonable rental.

#### *Flag*

26. The Government recognizes the right of ONUC to display the United Nations flag on its headquarters, camps, posts or other premises, vehicles and vessels and otherwise as determined by rules of the Special Representative of the Secretary-General. Other flags or pennants may be displayed only in exceptional cases, such as the national holiday of the contingent concerned, and in accordance with conditions prescribed by the Special Representative.

#### *Local personnel*

27. (a) The United Nations may recruit locally such personnel as it requires.

(b) The terms and conditions of employment for locally recruited personnel shall be prescribed by the Special Representative of the Secretary-General and shall generally, to the extent practicable, follow the practice prevailing in the locality.

(c) No Congolese authority shall seek to influence local personnel directly or indirectly in the performance of their duties. All decisions as to their recruitment and the continuation or cessation of their employment

shall lie within the sole authority of the Special Representative of the Secretary-General; the latter, however, shall decide only after due consideration of the evidence submitted to him.

(d) Any dispute concerning the terms and conditions of employment of locally recruited personnel shall be settled in accordance with administrative procedures to be established by the Special Representative.

28. The privileges and immunities granted in accordance with the provisions of the preceding articles shall not be extended to Congolese nationals or other local staff who were subject to Congolese jurisdiction at the time of their recruitment by the United Nations in the Congo. Locally recruited members of the staff of ONUC shall enjoy immunity only from legal process in respect of acts performed by them in the course of their official duties. The Government shall exercise its jurisdiction over them in such a manner as will not hamper the conduct of the affairs of the Organization.

29. (a) Subject to the provisions of paragraph (c) of this article, officials and employees of the United Nations in the Congo other than Congolese nationals shall be exempt from the social security provisions in force in the Congo in respect of services rendered to the Organization.

(b) The exemption provided in paragraph (a) of this article shall also apply to private domestic servants employed exclusively by officials of the Organization, provided that they are not Congolese nationals or do not reside permanently in the Congo.

(c) Any official of the Organization who employs in his service persons not covered by the exemption provided in paragraph (b) of this article shall be required to fulfil the obligations imposed on employers by Congolese legislation concerning social security in the Congo.

30. The Government shall afford the members of the Force and the officials serving under the United Nations in the Congo full freedom of movement throughout Congolese territory and to and from points of access to Congolese territory. This freedom shall extend to the operation of vehicles, aircraft, vessels and equipment in the service of the United Nations.

31. The United Nations shall have the right to the use of roads, bridges, waterways, port facilities and airfields without payment of dues, tolls or charges by way of registration or otherwise, except for charges collected directly or remuneration for specified services.

32. United Nations vehicles, aircraft and vessels shall carry a distinctive United Nations identification mark. They shall not be subject to the registration or licences prescribed by Congolese laws or regulations.

#### *Communications*

33. In all matters of official communications the United Nations shall enjoy conditions not less favourable than those accorded by the Government to any

## Appendix L-5

other Government or diplomatic mission. No censorship shall be applied to the official correspondence or other official communications of the United Nations or of the contingents of the Force in communicating with their Governments.

34. The United Nations and the contingents shall have the right to use messages in code or cipher and to despatch and receive their correspondence by courier or valise, which shall have the same privileges and immunities as diplomatic couriers.

35. The Government recognizes the right of the United Nations to make arrangements through its own facilities for the sorting and transport of private mail addressed to or despatched by members of the Force or officials serving under the United Nations in the Congo. The Government shall be informed of such arrangements. The Government shall not interfere with or censor such mail in any way.

36. The United Nations shall be authorized to install and operate in the Congo radio sending and receiving stations which shall be connected at appropriate points with the United Nations radio network and be able to communicate therewith. The United Nations shall duly communicate to the Government and to the International Frequency Registration Board the frequencies used for the operation of these stations.

37. The United Nations shall enjoy throughout the Congo the right of unrestricted communication by radio, telephone, telegraph or any other means, and of establishing the necessary facilities for maintaining such communications within and between premises of the United Nations, including the laying of cables and land-lines and the use of fixed and mobile radio sending and receiving stations.

### *Public services*

38. The United Nations shall have the right to the use of water, electricity and other public services at rates not exceeding those enjoyed by other comparable consumers. The United Nations shall have the same priority as essential Government services in the event of the interruption or threatened interruption of the said service.

### *Uniform*

39. Members of the Force shall normally wear the uniform prescribed by the Supreme Commander but may wear civilian dress under conditions determined by him. Members of the Force while on duty shall be entitled to possess and carry arms in accordance with the regulations applicable to them.

### *Death of members of the Force*

40. The Supreme Commander shall have the right to take charge of and dispose of the body of a member of the Force who dies in Congolese territory and may

take steps for the disposal of the personal property of such member.

### *Liaison*

41. The Special Representative and the Government, as well as the Supreme Commander of the United Nations Force and the Supreme Commander of the Armée nationale congolaise shall take the measures necessary to ensure close liaison between ONUC and the Congolese authorities at both national and local levels. Notwithstanding this principle and subject to any agreement providing otherwise, official matters for which the United Nations is responsible in the Congo shall be taken up with the Minister of Foreign Affairs or his intermediary. Liaison officers shall be appointed to the staff headquarters on a reciprocal basis and, to the extent that their presence may be useful, to the regional commands of the Armée nationale congolaise and the United Nations Force.

42. At airports necessary for the effective functioning of the Force, the United Nations alone shall control arrivals and departures of aircraft operating on its behalf, whether these are transporting civilian or military personnel or supplies. Except in cases covered by resolutions of the Security Council or the General Assembly, civilian officials of the Government shall control all other arrivals and departures. Liaison shall be maintained between ONUC and the Congolese authorities at each airport in order to prevent any conflict of functions in the application of this provision.

43. In fulfilling their liaison duties, both parties shall take fully into account the essential differences in their mandates:

(a) Full responsibility for the implementation of domestic legislation and regulations shall remain with the Congolese authorities. The United Nations shall be as an international Force and as such its responsibilities shall be exercised for the purposes of maintaining public order, peace and security; in so doing it shall not apply domestic regulations and procedures, but shall act in accordance with its interpretation of the mission assigned to it by the Security Council.

(b) In the performance of their duties, the Congolese authorities responsible for enforcing the law shall have the right to resort to force in conformity with the law. The United Nations shall not have recourse to the use of force except as a last resort and subject to the restrictions imposed by its mandate and by the resolutions of the Security Council and the General Assembly.

44. In view of the impossibility of having two security systems acting in competition, both parties undertake to co-ordinate their actions in the maintenance of public order and shall adopt the principle of mutual consultation. Whenever the actions of any units of the army, gendarmerie or police might create a conflict of competence in the maintenance of public order, the authorities concerned shall proceed to immediate consultations with the nearest unit of the United Nations Force. Such conflicts shall be adjusted by agreement.

in a spirit of understanding and co-operation. In particular, if a situation arises in which it appears that the use of force is necessary, the authorities concerned shall first immediately enter into consultation with the nearest unit of the United Nations Force.

*Supplementary provisions*

45. Any supplementary provisions necessary for the carrying out of this agreement shall be made by agreement between the Special Representative of the Secretary-General or as the case may be by the Supreme Commander of the United Nations Force, and the appropriate Congolese authorities designated by the Government.

46. The United Nations and the Government shall from time to time, at the request of either Party, review the provisions of this agreement in the light of the progressive development of the Congolese civil service and shall agree on any necessary amendments thereto. Any dispute between the United Nations and the Government concerning the interpretation and application of this agreement which is not settled by other means agreed between the parties shall be referred for arbitration to a tribunal consisting of three arbitrators whose decision shall be final. The Secretary-General of the United Nations and the Congolese Government shall each appoint one of the three arbitrators. The third arbitrator shall be a chairman appointed by agreement between the Secretary-General and the Congolese Government. If, within one month from the date on which either party has requested arbitration, the two parties have failed to agree on the appointment of a chairman, the President of the International Court of Justice shall be requested by either party to appoint a chairman. Should a vacancy occur in the tribunal for any reason, it shall be filled within thirty days in accordance with the method provided in this article for initial appointments. The tribunal shall commence to function as soon as its chairman and one of its other members have been appointed. Two members shall constitute a quorum of the tribunal and with respect to all of its deliberations and decisions a favourable vote of two members shall suffice.

47. The Central Government of the Republic of the Congo shall have the ultimate responsibility for the fulfilment of such obligations by the competent Congolese authorities, whether central, provincial or local.

*Duration*

48. Upon the signature of this agreement by the duly authorized representatives of both parties, it shall be deemed to have taken effect as from the date of arrival of the first elements of the United Nations Force in the Congo. The provisions of the agreement which relate specifically to the Force or its members shall remain

in effect until the departure from the territory of the Congo of the last elements of the Force and its equipment. Those provisions which relate generally to the United Nations or officials serving under the United Nations in the Congo shall remain in effect until this agreement has been superseded or until such other date as shall be agreed between the parties.

In witness whereof the undersigned, on behalf of the parties, have signed this agreement at New York, on 27 November 1961, in duplicate in French.

*For the United Nations*

*(Signed) U THANT*

*Acting Secretary-General*

*For the Government of the*

*Republic of the Congo*

*(Signed) Justin BOMBOKO*

*Minister for Foreign Affairs*

## EXCHANGE OF NOTES BETWEEN THE SECRETARY-GENERAL AND BELGIUM

Note: The following notes, two from the Secretary-General dated October 8 and 19, 1960, addressed to the representative of Belgium, and a reply from the Belgian representative, dated October 28, 1960, deal with the question of the withdrawal of Belgian "military, para-military or civil personnel" placed "at the disposal of the authorities in the Congo." U.N. Document S/4557-B, SCOR, Supplement for October, November, December, 1960, pp. 44-47.

**1. NOTE VERBALE DATED 8 OCTOBER 1960 FROM THE SECRETARY-GENERAL ADDRESSED TO THE REPRESENTATIVE OF BELGIUM**

The Secretary-General of the United Nations presents his compliments to the Permanent Representative of Belgium to the United Nations and has the honour to state that, having regard to the resolution adopted by the General Assembly on 20 September 1960 [1474 (ES-IV)] and after careful study of the conditions at present prevailing in the Congo, he is more convinced than ever that it is absolutely essential that no technical or financial aid should be furnished to any of the authorities in the Congo except through the United Nations. He accordingly concludes that the unilateral assistance which the Belgian Government is continuing to furnish to the authorities in both Katanga and south Kasai is not in conformity with the requirements of the General Assembly, in particular with those set out in paragraph 5 (a) of the resolution, and is in fact impeding the restoration of normal political and economic conditions in the Republic of the Congo.

On the basis of this conclusion, the Secretary-General would request the Belgian Government to withdraw all the military, para-military or civil personnel which it has placed at the disposal of the authorities in the Congo and henceforth to follow the example of many other States by channelling all aid to the Congo, or to any authorities in the Congo, through the United Nations.

The Secretary-General is convinced that only acceptance of these requests can prevent the occurrence of events in the Congo that may result in the country becoming the theatre of a conflict of world-wide dimensions which would be fraught with the utmost danger for the country itself.

The Secretary-General wishes to inform the Belgian Government that he has sent a personal message to Mr. Tshombé, a copy of which is attached for information [see sect. 5].

**2. NOTE VERBALE DATED 19 OCTOBER 1960 FROM THE SECRETARY-GENERAL ADDRESSED TO THE REPRESENTATIVE OF BELGIUM**

Referring to the *note verbale* that he had the honour to address to the Permanent Representative of Belgium on 14 October 1960,<sup>1</sup> the Secretary-General wishes to inform the Permanent Representative that, according to recent reports from his Special Representative at Leopoldville, 114 Belgian officers and 117 other ranks are

<sup>1</sup> This is the date of transmission of the *note verbale* which bore the date of 8 October. The delay was caused by the necessity of ensuring that the *note verbale* was communicated at one and the same time to the representative of Belgium and to Mr. Tshombé, President of the provincial government of Katanga.

still serving in the gendarmerie of the Katanga authorities and 58 Belgian officers are at present in the service of the Katanga police. It further appears from these reports that all the key positions in Katanga, in both civil affairs and security, are either directly in the hands of Belgian officials or under the control of Belgian advisers attached to Congolese officials. Such is the situation at the moment, although the Belgian technical assistance mission was apparently withdrawn on 13 October 1960.

With regard to the would-be autonomous state of South Kasai, the reports continue to assert that Colonel Crèveœur wears Belgian uniform in the exercise of his duties and is assisted by a Belgian officer, Colonel Levaureg, and that they are both engaged in training new military units in the service of the authorities of south Katanga. In this connexion, it is stated that chief medical officer de Forminière, who is of Belgian nationality, serves as medical inspector for these military units.

It is also reported that light military equipment is transported from Katanga to Kabinda through the Mwene-Ditu district and that a Belgian business man is supporting this arms traffic.

The Secretary-General also wishes to draw the attention of the Permanent Representative of Belgium to some recent reports according to which a recruiting agency for the Congo has been set up in Brussels under the direction of Professor Lacroix and with the support of Professor Verhagen, both of the University of Lovanium. The object of this agency is apparently to send an ever increasing number of Belgian officials to the Congo, many of whom have already taken up their duties at what is called the Collège des commissaires. Several cases in which these Belgian experts have seriously hampered the implementation of the United Nations technical assistance programme have already been reported to the United Nations authorities in the Congo. Some of these experts have even deliberately delayed the submission of requests from the Congolese authorities for United Nations technical assistance.

It is clear that the employment of Belgian experts by the Congolese authorities and the activities of these experts, which are often directed against the United Nations, cannot fail to give rise to serious disputes, especially in view of the unstable political situation at present prevailing in the Congo. In this connexion, the Secretary-General feels it his duty to point out that the agreements entered into between Belgian technicians and the various Congolese authorities are not approved by any government or any authority that can rightly claim to be the legitimate Central Government of the Congo.

3. NOTE VERBALE DATED 28 OCTOBER 1960 FROM THE REPRESENTATIVE OF BELGIUM ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of Belgium to the United Nations has the honour to acknowledge the receipt of the Secretary-General's notes dated 8 and 19 October concerning the assistance given by Belgium to the Congo.

He considers it his duty to make the following observations concerning their contents. It appears to him that a number of misunderstandings have recently crept into the relations between Belgium and the United Nations in the matter of aid given to the Congo, as indicated below.

(1) No provision, either explicit or implicit, of the Security Council's resolutions or the General Assembly's recommendations gives the Secretary-General the right to insist that all technical aid to the Congo should necessarily be channelled through the Organization.

In particular, paragraph 5 (a) of the recommendation adopted by the General Assembly at its emergency special session on 20 September in no way justifies a request for the withdrawal of all officials of Belgian nationality who are working under the orders of the Congolese Government.

Paragraph 2 of the same document, which requests the Secretary-General to continue to take vigorous action in accordance with the terms of the preceding resolutions, cannot be construed as imposing any obligations on Member States.

The request for the removal of the Belgian technicians present in the Congo has therefore no legal basis.

(2) The Secretary-General's request is in reality based on the conviction he seems to have acquired that the presence of Belgian technicians in the Congo is harmful.

This is a position which is not legal but political, which is essentially subjective and which, moreover, constitutes interference in the domestic affairs of the Congo.

(3) Paragraph 6 of the recommendation of 20 September, which begins with the words, "without prejudice to the sovereign rights of the Republic of the Congo", recognizes in effect the right of the authorities of that country to apply for and receive such civilian aid as they deem necessary.

To challenge this undeniable right would be to raise a serious problem of principle, for it would be tantamount to challenging the exercise by an independent State of certain of its sovereign rights.

The majority of States Members of the United Nations receive bilateral aid from other independent countries. The prohibition which the Secretary-General seeks to impose on the Congo in this connexion would establish a precedent that would be extremely dangerous for all Members of the United Nations, since it would in fact constitute an attempt to place a sovereign State under trusteeship. The effect of the withdrawal of Belgian technicians would be to deprive the Congo of the services of officials who are under the direct authority of the Congolese Government in order to replace them with international experts independent of that Government.

(4) It is at the request of the Congolese authorities that the approximately 2,000 Belgians now in the Congo have remained there or have been sent there.

Their presence, far from impeding the restoration of public order and the exercise by the Government of the Republic of its authority, as the note of 8 October suggests, is contributing to the functioning of the essential machinery of the Congolese State and of its economy.

The withdrawal requested by the Secretary-General would irreparably compromise the work being done in that country to re-establish order and restore prosperity, a task to which the United Nations and Belgium are equally dedicated, and the 200 United Nations civilian experts would be unable to remedy the situation.

(5) The foregoing observations demonstrate the need to clarify the views expressed by the Secretary-General in the two documents referred to above. The Belgian Government is prepared to send a representative to New York for that purpose as soon as the Secretary-General is in a position to receive him.



FIRST REPORT OF THE U.N. OFFICER IN CHARGE IN THE CONGO: SEPTEMBER, 1960

Note: A substantial portion of the First Progress Report to the Secretary-General from his Special Representative in the Congo, Mr. Rajeshwar Dayal, is reproduced here because of its unusual significance. (Until May 25, 1961, the Officer in Charge was called the Special Representative of the Secretary-General.) This First Report is dated September 21, 1960, and was circulated as U.N. Document S/4531, SCOR, Fifteenth Year, Supplement for July, August, September, 1960 (September 21, 1960), pp. 176-196.

In this report, which covers the first and perhaps most turbulent three-month period of the U.N. peacekeeping operation, Mr. Dayal gives a vivid picture of the problems confronted by the U.N. as well as a detailed picture and interpretation of what was being done. Most of the paragraphs dealing with civilian operation have been omitted. During this brief period the U.N. Force grew from nothing to 19,341 men. (See Appendix O for the location and strength of U.N. units as of September 1960.)

21 September 1960

# I. INTRODUCTION

1. This progress report covers all important aspects of the operations of the United Nations in the Congo (ONUC), and seeks to set forth the nature and magnitude of the problems and the manner in which the Organization has attempted to discharge its responsibilities.

2. In its task in the Congo, the United Nations has broken entirely new ground; both the mandate given to it by the Security Council and the development of the situation itself have made this operation unique in the history of international organization. New situations and problems have thus often had to be met by decisions taken in the general spirit of the mandate, but without the benefit of experience from the past. While the role of ONUC and the general principles under which it is operating in the Congo are clear, the detailed method of application of these principles to a kaleidoscopic and often chaotic situation has sometimes been less easy to determine. Legal, political, humanitarian and practical considerations have had to be carefully weighed in determining the most desirable course of action. It is hoped that this appraisal may make the progress and the conduct of the operation more easily understandable and bring into focus the nature of the problems facing ONUC in its unprecedented task.

4. On attaining its independence on 30 June 1960, the country would have been faced, even had the circumstances been more normal, with many serious problems—economic, social, political, military and administrative. On the economic plane, the paradoxical situation exists that despite the country's great natural wealth and its considerable development under Belgian rule, conditions of acute economic distress prevail which cannot be alleviated without outside assistance on a massive scale. The almost complete lack of trained civil servants, executives and professional people of Congolese origin in virtually all walks of life, and the striking absence of administrative and political experience would inevitably have created a serious situation for the Government of the young Republic. But the situation was made still worse by a complete failure to arrange for any organized hand-over to the Congolese of the administrative machinery of government or of essential public services.

5. The already difficult situation was still further complicated by the confusion, fear and disorder which gripped the country shortly after independence, as a result of a vicious circle of events. Mutinies of the *Force publique* and subsequent outbursts of violence against Europeans were followed, on the one hand, by the sending of Belgian forces, especially parachutists, into action in many places, which in turn gave rise to bitterness and panic among the African population, and, on the other, to a new, fearful flight of many Europeans and the consequent breakdown of many public services and important economic enterprises. Some facilities, for example navigation aids at airports, police communications and some telecommunications, were damaged or destroyed. Funds for the payment of workers in certain public utilities were taken out of the country, creating further work stoppages and unemployment through inability to meet payrolls. General economic distress added to the wide-spread feeling of insecurity and unrest. Powerless to restore order and to maintain normal life in the country, the

Government appealed to the United Nations for military and technical assistance.

6. The United Nations was thus faced from the beginning with serious problems of an economic, social, administrative and technical nature—problems which, with the active support of the world community and the co-operation of the Government of the Congo, it might reasonably have expected to solve by strenuous efforts over a certain period of time. It was also faced with a volatile and explosive situation with which the Government itself was unable to cope, a state of utter lack of public confidence, the disruption of the normal life of the community amidst a general atmosphere of fear and anxiety.

7. In the first phase of its operations under the Security Council mandate, the primary objectives of ONUC were to ensure the speedy evacuation of all remaining Belgian forces from the territory of the Congo, and by the deployment of United Nations forces in various parts of the country, to assist in the maintenance of law and order and the protection of life and property. At the same time, all possible efforts were made to help maintain essential services and to encourage the resumption of normal activity. Another urgent task was to assist the Congolese authorities to restore discipline in the *Force publique*, now the Congolese National Army, and to regroup this army in camps where its training and reorganization could start as soon as possible.

8. With the evacuation of Belgian troops, one very potent source of suspicion, fear and panic was removed. It may also be noted with satisfaction that with the assistance of the Deputy Commander of the United Nations Force, acting as its adviser at the formal request of the Prime Minister, the Congolese National Army has begun to re-form in new units and to engage in the training of its officers and men.

9. But while these problems were being attended to, new differences and manifestations of violence began to appear. Tribal warfare, especially in the province of Kasai, and to a lesser extent in the province of Equator, began to take a large toll of human life and to produce a drifting population of many thousands of refugees. In addition, in order to put down secessionist movements in the Katanga and Kasai provinces by force, a part of the National Army was moved by the Central Government into the Bakwanga area and near the northern border of Katanga. A civil war was thus begun, which was to make many victims, not only among troops, but also among civilians, including women and children.

10. The United Nations Force, thinly deployed in the area, and circumscribed by its mandate, used its best efforts to safeguard lives, to prevent massacre and genocide, and to mitigate other consequences of these disasters, in particular famine and disease. By the use of United Nations good offices and by the employment of an observer organization, the hostilities on the Kasai-Katanga border have virtually been halted recently by a cease-fire agreement. The violence of the tribal conflicts has also abated, at least for the moment. Nevertheless, the necessary work of reconciliation of

tribal differences has still to be undertaken, for these differences can have a direct bearing on the political situation.

11. The people of the Congo comprise many tribes speaking different dialects. The tribal conflicts, which plagued the country long before it attained independence, have since taken on a more serious character and spread into the political field. Many of the political parties have strong tribal affiliations and the provincial governments constituted after the May elections are often dominated by particular tribal elements. There is also a tendency for members of these provincial governments to use their newly acquired authority to promote the domination of their own tribes over others. This has led to a resurgence of tribal conflict with dire political, economic and social consequences, constituting a grave danger to the integrity of the country.

12. A typical example is the Baluba-Lulua conflict in the Kasai province where, without effective intervention of the provincial authorities, the Lulua have mercilessly attacked the Baluba elements of the Lulua-bourg region. This has led to a mass exodus of the Baluba to their tribal lands in the Bakwanga region where a rebel government has been set up, and to a civil war between Central Government troops and the local forces, in which sporadic fighting and massacre has taken many lives. It is estimated that the refugees in the Bakwanga area from former and recent Lulua-Baluba conflicts now number about 250,000. Their feeding and maintenance is an urgent concern of the Red Cross, and of the ONUC food relief organization; strenuous efforts are also being made to cope with the medical problems involved. The mass exodus from Lulua-bourg of the Baluba, who constituted almost the entire clerical and skilled labour force of the town, has contributed largely to the disruption of the economic life of the entire province.

13. Latterly, new forms of division and strife have appeared. Violent political rivalry in the Central Government itself has led, in the past weeks, to a confused and prolonged constitutional crisis, and to much discord and attempted violence. This situation is described in the next section of this report in relation to the problems of non-intervention.

## II. POLITICAL INSTABILITY AND THE PROBLEMS OF NON-INTERVENTION

14. A brief outline of the political developments is given in the following paragraphs, together with an indication of the nature of the problems confronting ONUC in the performance of its function in relation to the changing political situation. This is followed by an analysis of the application of the principle of non-intervention, as laid down by the Security Council, in the face of a succession of constitutional crises.

15. It is evident that in their size and scope the civil and military programmes described in this report are already, when measured in absolute terms, the largest which the United Nations has ever been called upon to organize. This extensive programme, viewed

against the background of a comparative absence of governmental organization, bulks even larger. This situation imposes on the United Nations operation an increasingly grave responsibility to weigh its every action, and to impose on itself the most careful restraint in order to ensure that its presence promotes, and does not retard, the political development and independence of the new State. The United Nations Charter itself has established the guiding principle that the United Nations must not—reserving the special authority of the Security Council—intervene in matters which are essentially within the domestic jurisdiction of any State; and the Security Council, in paragraph 4 of its resolution of 9 August 1960 [S/4426], has reaffirmed that the United Nations Force in the Congo will not be a party to or in any way intervene in or be used to influence the outcome of any internal conflict, constitutional or otherwise. On the other hand, it is manifest that the decision of the Security Council, in acceding to a governmental request for military assistance to the national security forces in the restoration of law and order, has itself automatically juxtaposed the international and the domestic spheres of action. In addition, in the civilian field alone, there is always the danger that the very extent of the aid offered may give the appearance of constituting in some manner a degree of intervention in the work of the government institutions into whose programmes the aid must be integrated.

16. It was already a difficult and delicate task for ONUC, in the period from the date of its first entry in mid-July up to the end of August 1960, to exercise its responsibility for maintaining peace and security without infringing on any internal function of government. By mid-September, however, the constitutional crises had resulted in the breakdown of the formal structure of government into partially overlapping but largely competitive power groups headed by the Chief of State, the Prime Minister, the Parliament and, more recently, the Army. In such circumstances, actions undertaken by the United Nations tended to become a bone of contention with one internal group or another. Indeed, even in matters on which ONUC's responsibilities were not attracted, it frequently transpired that opposing factions—always prompt to accuse it of "intervening" in favour of a rival—were nevertheless proclaiming for themselves some special monopoly of United Nations support.

17. The developments in relation to the entry of the United Nations Force into the province of Katanga have previously been reported to the Security Council by the Secretary-General (S/4417/Add.6, 7 and 9) and the differences of viewpoint in the interpretation of ONUC responsibilities with regard to Katanga, relating to the Organization's mandate, have been fully explained in that report.

18. The difficulties encountered by ONUC in its relations with the Congolese Central Government, as a result of the latter's mistaken notion of the United Nations functions in the Congo, are illustrated by the following instance. The Prime Minister demanded, and used military threats to seek to enforce, the control of the airports entirely by the Congolese National Army, a step which would have deprived the United Nations

Force of its ability to guarantee the security of the centres of communication which are indispensable to the performance of its functions. Only the most skilful military liaison succeeded in avoiding a clash from this attempted use of force against ONUC, and in working out a demarcation of ONUC and Congolese military functions at the airports.

19. During this period, an attempt was made by ONUC to enter into negotiations with the Government, through the Foreign Minister. A draft agreement was submitted on the status of the United Nations in the Congo, modelled on the agreement on the status of the United Nations Emergency Force adopted in 1957 by the United Nations and the Government of Egypt. On particular points, proposals were also offered for increasing liaison between ONUC and the Government, including the assurance of the Government's civil control at airports over non-ONUC flights.

20. These negotiations had no more than commenced, however, when the capital found itself in the midst of a grave constitutional crisis. On the evening of 5 September 1960, the Chief of State in a declaration broadcast on the national radio proclaimed in effect that the Prime Minister had betrayed his office by provoking discord within the Government, depriving citizens of their fundamental liberties and plunging the country into a fratricidal civil war. He therefore revoked the Government with immediate effect and named the President of the Senate, Mr. Joseph Iléo, to form a new government. He requested the United Nations to assure peace and order. During the same evening, the Prime Minister spoke three times to the population, indicating that the President was no longer Chief of State and calling upon the people, the workers and the Army to rise. In the face of an imminent breakdown of law and order, with a civil war already under way in parts of the country, and with a clear threat to the United Nations Force from the prospective movements of mutually hostile elements of the army, ONUC, in the interests of the maintenance of peace and security, that night closed all major airports to any traffic other than that of the United Nations. The following day, recognizing that the risk of major clashes between political and ethnic groups could present the Force with a peace and security problem far exceeding its powers, the United Nations took a directly related emergency measure and temporarily closed the Leopoldville radio station. The first demonstrations, with some casualties, had in fact taken place that day. After these two measures, the city of Leopoldville remained quiet, however, and in particular the closing of the airports soon brought the civil war in the provinces to a halt and checked the influx of arms into Katanga.

21. Also during the night of 5 September the Council of Ministers published a communiqué declaring the Chief of State deprived of his functions for having violated the Fundamental Law, nullifying the latter's revocation of the Government and accusing him of high treason. Parliament met continuously on 7 September. After an address by the Prime Minister, the Chamber of Representatives, by a vote of 60 to 19,



undertook to cancel both the decisions of the Chief of State and of the Prime Minister dismissing one another. The Foreign Minister and one other Cabinet member who had countersigned the presidential revocation of the Government both announced their resignations. The following day the Senate voted 41 to 2, with 6 abstentions and 29 absent, against the presidential proclamations. On the same day the Prime Minister stated at a press conference that he would consider demanding the immediate withdrawal of the United Nations Force if the airports and radio stations were not immediately turned over to the exclusive control of the Government. Mr. Kasavubu also protested that his spokesman had not been permitted to broadcast from the station.

22. On 9 September, Mr. Lumumba stated in a speech in Camp Leopold, while referring to the voting in the Senate and the Chamber, that he was now Chief of State and Supreme Commander of the National Army. On the same day, President Kasavubu issued a declaration rejecting the votes of the Senate and Chamber of Deputies, on the ground that the decisions of the Chief of State were not subject to the approval of the Senate or Chamber of Representatives.

23. On 10 September 1960, the new Special Representative of the Secretary-General, who had assumed his functions on 8 September, called on the Prime Minister and then on the President. The Prime Minister handed him a memorandum accusing the United Nations of flagrant interference in the internal affairs of the Congo with reference to the action taken at the airports and radio station, and attributing to Parliament alone the power to revoke either the Government or the Chief of State. The Chief of State addressed a letter to the Special Representative declaring the non-existence of the Lumumba Government and requesting the United Nations not to treat with it. On the same day the bureau of the Chamber of Representatives communicated to the Secretary-General through his Special Representative its position that the interpretation of the Fundamental Law rested solely with Parliament and that the Secretary-General's comments to the Security Council on the constitutional situation therefore represented interference in the internal affairs of the country. On 11 September, the President of the Chamber of Representatives and the Acting President of the Senate informed the United Nations that the votes of their separate bodies constituted a sovereign determination of renewal of confidence in the Government of Mr. Lumumba and an annulment of the ordinance of the Chief of State. That night the Prime Minister designate, Mr. Iléo, announced the formation of his new government.

24. It is to be noted that these declarations and counter-declarations, although they divided the executive, ministerial and legislative branches of government on the interpretation of their several powers under the Fundamental Law, were made against a relatively non-violent background. In addition, the Presidents of the two chambers, on 12 September, addressed statements to the Special Representative that the Parliament would undertake the surveillance of the normal and peaceful utilization of the radio station and airports. Thus, on 12 September the United Nations, on its own initiative, reopened the radio station, appealing to all to exercise restraint in its use. The Minister of Information designated by Mr. Iléo broadcast a speech during the day, in the course of

which he stated that Mr. Lumumba would be arrested and given a fair trial; two days later, a speech of Mr. Lumumba was broadcast. A serious show of force by both governments, however, did take place at the radio station both before and after its reopening. On 12 and 13 September, the airports were opened to all peaceful, civilian and humanitarian traffic and remain open.

25. On 12 September, an ordinance of the Chief of State proclaimed the composition of the new government and revoked the functions of another eleven members of the "former" government. That same day Mr. Lumumba was arrested by the *gendarmerie* on the order of the Army Chief of Staff but was released by the Army Command in circumstances which are unclear. A parliamentary committee seeking a reconciliation between the Chief of State and the Prime Minister protested against this action and called attention to the fact that the Iléo government had not yet had a vote of confidence from Parliament and therefore could not substitute itself for the legal government. At the same time, Mr. Lumumba transmitted through the Special Representative of the Secretary-General an appeal to the Security Council that it furnish his government with direct aid in the form of twenty aircraft with crews, a "large quantity" of arms and munitions, and a powerful radio transmitter, or it would seek this aid elsewhere [S/4507].

26. On 13 September a joint session of Parliament conferred full powers on Prime Minister Lumumba in a vote which was somewhat uncertain both as to substance and count. On 14 September the Chief of State suspended Parliament; the Presidents of the two chambers replied to him in writing that his ordinance was countersigned by Mr. Iléo as Prime Minister though the latter has received no parliamentary investiture. On the same day, a letter from Mr. Lumumba formally requested the detachment of a specified national contingent of the United Nations Force to aid his government in the pacification of the country. That evening the Chief of Staff of the Army broadcast a statement that, two opposing governments having for some time fought for power in the country, the Army was taking power, by means of a peaceful revolution, until 31 December 1960. Dignitaries in all groups began a series of appeals to the United Nations for special protection of their persons and residences. At a press conference the Chief of Staff announced his reliance on the United Nations for assistance, and his intention to set up a *collège des universitaires* for the governance of the country.

27. The following morning, 15 September, Mr. Lumumba took refuge in the Ghana Officers' Mess in the Army's principal camp in Leopoldville. Throughout the day his life was seriously threatened while hard-pressed Ghana troops held off riotous soldiers of the hostile Baluba tribe who charged that their families had been victims of the civil war in Kasai. After personal intervention on the spot by the Special Representative of the Secretary-General, it proved possible by nightfall for the national *gendarmerie* and the Ghana troops to escort him out. During the same afternoon the Chief of State and his Prime Minister designate requested the United Nations to effect the arrest of Mr. Lumumba, which the Special Representative firmly

declined, explaining that this was entirely outside the functions of ONUC. On 16 September, Mr. Lumumba demanded that the United Nations enable his government to fly in troops from Stanleyville to assure the security of Leopoldville.

28. To complete this chronicle of political events as at the time of the preparation of this report, an unsuccessful attempt on the life of the Chief of Staff was made on 18 September in Camp Leopold. Two successive announcements were made by Mr. Lumumba, and categorically denied by Mr. Kasavubu, that the Prime Minister and the President had signed an agreement of reconciliation. On 20 September, Mr. Lumumba protested in writing to ONUC that the Chief of Staff with elements of the Army had occupied the administrative buildings of the Central Government, and requested ONUC intervention to reverse this action. On the same day, the Chief of Staff announced the formation of his government, consisting of a College of Commissioners designated by ordinance of the Chief of State, thus apparently raising the number of rival governments to three.

29. In this confused situation, with three rival governments jockeying for position, and each demanding as of right the enlistment of ONUC's support to enforce its own particular political solution, any action taken by ONUC in the performance of its disinterested mission has been liable to be seized upon by one or more groups, for reason of political advantage, as a basis for the unfounded charge of intervention in the domestic affairs of the country. In such a situation ONUC has maintained with scrupulous care an attitude of strict neutrality, avoiding any action which could be interpreted, even remotely, as influencing the political balance. The fragmentation of the branches of government into separate claims of supremacy by rival prime ministers, by the Parliament and by the Army has greatly increased the degree of circumspection required to avoid even the appearance of influencing the outcome of the conflict. Although it is a relatively easy matter to refrain from any open pronouncement, or to balance an interview with one leader with discussions with others, the real difficulty lies in the fact that the United Nations is not in the Congo as a mere observer; it has a military and a civil assistance programme regarding each of which it has certain specific responsibilities. The very size of these programmes has induced charges that they amount to a "take-over" of the government by the Organization. It has therefore been unavoidable that operations should have been slowed down in many ways: formal agreements cannot be negotiated in the confusion at the governmental level; even the more routine contacts at lower levels are to an extent disrupted by the crisis; and some actions of unquestioned propriety in ordinary circumstances have perforce to be deferred lest they appear to favour one political faction against another.

30. In the field of law and order the effect of these inhibitions is particularly complex. While it is axiomatic that ONUC is in the Congo to assist the government in the maintenance of law and order, it is also true that its force cannot be placed at the disposal of one faction against another. In the exercise of the functions assigned to it by the Security Council, ONUC actions will inevitably have some impact on domestic matters. It must nevertheless ensure, and has striven to do so,

that every such act is both impartial and strictly confined to the necessary fulfilment of its international mandate.

31. It is obvious that in so complex and variable a situation, the imperative of non-intervention requires continuous analysis and careful weighing by ONUC in the context of rapidly unfolding events. During the protracted political crises, while ONUC has maintained an attitude of strict detachment, it has not been one of indifference to the point of denying the possibility of the exercise of the function of good offices, should it be sought by all concerned.

### III. MILITARY OPERATIONS

32. The United Nations Force now consists of some 16,400 officers and men coming from 28 nations. This total will soon reach nearly 19,000. The main contingents are supplied by 13 countries, the remainder supplying administrative and ancillary units, air force personnel and staff officers. The first units arrived within forty-eight hours of the Security Council decision, and were immediately deployed. Such exceptional speed was warranted by the seriousness of the situation, but it also entailed considerable risks and disadvantages. The troops had to be deployed before the Headquarters, logistic organization and signal communications were even formed. Operations in local areas were further hampered by lack of vehicles, a situation which is still in process of being rectified. The Force at present consists of a Force Headquarters the equivalent of 20 battalions, signals, engineers, supply and transport units, an ordnance depot, a field hospital, postal units, and an air transport force. For present location and strength of the Force, see annex 1.

33. The Force had to be air lifted into unknown situations in distant places without, in many cases, any communications other than through liaison officers with Force Headquarters in Leopoldville. Time allowed very little briefing on the United Nations mission, and lack of information permitted even less instruction on the situation in a given area. An immense responsibility, therefore, devolved upon local commanders and their men, and it is the best evidence of their devotion, discipline and judgement that no serious situations arose in any of the varied and delicate situations in which they found themselves at such short notice. A high degree of improvisation has thus been required at all levels throughout the first stages of the operation.

34. The contingents of the Force have been called upon to deal with matters beyond the range of normal military experience in their assistance to local authorities. They have had to deal with civil disturbance, maintenance of essential services, protection of refugees, and with situations very often complicated by irrational fear and a host of alarmist rumours. They have constantly been asked for help in protecting minorities and in facilitating the resumption of work in a variety of enterprises. They have used their good offices in situations ranging from tribal war to arbitrary arrest of individuals and the molestation of minority groups.

A further source of difficulty in many areas has been to discover who really constitutes the effective authority.

35. Communications of all kinds have hitherto been at a minimum. When a brigade of three battalions is responsible for an area the size of France, which is beset by problems ranging from famine to tribal war, the lack of communications aggravates the already exhausting task of the troops. At present, radio communications have been established by the Force signals between ONUC Headquarters and the majority of the territorial commands. There are, however, still some territorial commands which depend for their link with Headquarters on borrowed or public facilities. The situation within the territorial commands is also not completely satisfactory, many of the units being without radio communication between their headquarters and sub-units. This is due to the fact that the normal radio equipment with which a unit is equipped is not designed to cover the distances over which they are presently deployed. The Force signal communications are being progressively improved. For further information on communications, see annex 2.

36. The fact that the United Nations Force is a peace force provides another problem unfamiliar to the highly trained soldier. He is allowed the right to use force only in the last resort of legitimate self-defence. The troops are also compelled by the demands of non-intervention not to resort to military initiative in situations which would normally call for a strong reaction from courageous and responsible troops. This imposes on them a heavy strain, and only high morale, discipline and a belief in their mission have made it possible for contingents to meet this challenge with honour, and without the use of force.

37. Much attention has been given to the restraint which the United Nations imposes on its troops. This restraint is the only possible course for a peace force of this kind. It has been proved by the performance of the soldiers themselves, beyond any doubt, that well-trained and devoted troops can achieve their objective, even under these very difficult conditions, and can inspire a respect for their authority, which is more effective than any momentary physical advantage that could be gained by the use of force.

38. An emergency operation, extended over an area as large as the Congo, is in its initial phases almost entirely dependent upon aircraft for communications, transport and supply. The ONUC air component has had to be put together from a bewildering variety of sources. Such a situation is not conducive to maximum efficiency or performance and has created a large-scale and costly training programme.

39. In spite of this, and by the unrelenting efforts of air staff, air crews and ground crews, the ONUC air transport force is now in existence in the Congo and has been functioning with increasing efficiency for many weeks. Its tasks have included transporting of troops, supplies, relief food and necessary civilian personnel all over the Congo. With the development of this air component, the United Nations Force is gradually becoming independent of other less reliable

#### Appendix N-6

agencies of air transport. A chart of the organization of the ONUC air transport force is attached as annex 3. Recommendations for the expansion and reorganization of this air transport force are now under consideration.

40. In the period of the build-up of the Force many services have necessarily been improvised. Medical services have been gradually organized, and, fortunately, there has been no major epidemic or significant number of casualties before this organization was completed. Local procurement of food on a large scale has so far been possible in most areas and has relieved the burden of long-range supply by air until a regular organization of supply by surface transport could be achieved. Nevertheless, in many areas it has not been possible to obtain adequate supplies of local food, and inroads have been made into the Force's stock of reserve rations. The development of postal services for the Force has, for various reasons—including the lack of necessary governmental agreements—been very slow, and this has been a hardship to which the men of the Force have submitted with patience. Similarly, owing to other more pressing demands, recreational facilities have thus far been poor. As yet, there has been little time or opportunity for normal leave periods or recreation, since the strength available and the magnitude of the task to be performed have resulted in units having to operate at full pressure without the normal reserves necessary for regular reliefs. The excellent spirit of the Force, however, has remained unimpaired by these shortcomings.

#### IV. CIVILIAN OPERATIONS

41. For the first time in the history of international organization, the United Nations and the specialized agencies have collaborated in the Congo as a single team, under the mandate of the Security Council, to meet the economic emergency following the country's independence. They have put together, in a little over a month, the largest civilian team they have ever had in one country at one time. The vast responsibilities which the individual members of the mission have assumed are in themselves indicative of the void which exists in almost every sector of Congolese life today: the responsibilities which they have not been able to undertake, and the recommendations they have not been able to put through are indicative of the political and organization vacuum in which the United Nations has had to work, a situation which has regrettably been worsened in recent days.

#### *Training of Congolese staff and recruitment of foreign technicians*

65. There is perhaps no more serious long-range economic and social problem facing the Congo than that of finding a corps of officials and technicians, in the long run from among its own people or, more immediately, from other countries. The United Nations mission has turned its attention to questions of training and recruitment, regarding which the following preliminary observations are presented.

### *Training*

66. At the time of independence there were only seventeen Congolese university graduates, not one doctor, no engineers, professors, architects, etc., and few, if any, qualified lawyers. If there is to be a large-scale programme of fellowship awards, and parallel programmes of in-service training, one must find people with sufficient educational prerequisites to qualify for this training. In the field of health, the ONUC Senior Consultant has estimated that it will take some twenty-two years before the Congo can produce enough of its own doctors to staff even a reduced schedule of health services. Recently, a Government offered to train a substantial number of Congolese technicians in the much-needed skills of weather forecasting. So far, only six Congolese have been found who qualify for these awards, and they have not yet been sent abroad because it has been impossible in the present political hiatus, over a period of exactly one month, to get the necessary Government agreement.

### *Recruitment from abroad*

67. It is apparent that for a long while to come, the Congo will have to depend on large numbers of technicians from abroad, and in fact ONUC has already been approached to use its machinery to recruit teachers, doctors, labour inspectors, administrators and other specialists who would become employees of the Government. The United Nations Educational, Scientific and Cultural Organization has been asked to undertake the task of finding over 1,000 teachers to staff, for the most part, the secondary schools. Effective recruitment is found difficult, however, because of the prevailing political conditions in the country.

68. Less than 50 of the 400 hospitals operating throughout the country have doctors, most of them provided by the Red Cross and bilateral aid teams. Many of these teams will have to return home within the next few months, and it will be difficult to find replacements.

### V. CONCLUSION

71. The magnitude and intricacy of the problems facing ONUC will be evident from the foregoing pages. The vast organization required before the implementation of the Security Council's mandate became at all possible was set up with great speed. The response from the Member States to the Secretary-General's invitation for assistance was prompt and encouraging. Contingents of specialist services and of troops, asked for or offered, are still arriving. The civil operations branch received excellent support and co-operation from the specialized agencies of the United Nations.

72. As soon as the basic organization, both civil and military, was set up, no time was lost in attending to the manifold responsibilities cast upon ONUC. The presence of the United Nations contingents widely scattered throughout the country has had a calming and reassuring effect, and few occasions have arisen where they have had to resort to the regrettable necessity of using force, as in the protection of refugees, or to prevent looting or in self-defence. Even in such situations the degree of force used has been kept to the minimum. Although the troops have suffered a few casualties, it is indeed fortunate that despite the fact of their deployment in distant areas and in difficult circumstances, the number of these casualties has been remarkably small. They have been involved in situations of grave provocation and humiliation, but have comported themselves with tact and dignity. In Leopoldville, for example, the tasks of the Force include constant patrolling in a populous community, and the protection offered to public personalities at their request has so far helped to prevent any violence or bloodshed. It is a tribute to the men of the Force that despite their possession of the means of retaliation, they have used the utmost restraint and forbearance.

73. The civilian operations have been designed in consultation with the Government, to provide bone and sinew to the Administration in its different branches, denuded as it was of technical and administrative personnel. Thanks to such assistance, the essential public services have been prevented from collapsing in Leopoldville and elsewhere. The urgent problems facing the country, such as serious unemployment, shortage of essential articles in various parts of the country, the closure of educational institutions, the absence of a judiciary or magistracy, the ineffectiveness of the civilian administrative machinery, the breakdown of the tax collecting and customs agencies, the disrup-



tion of the security organs including the army and the police, the partial paralysis of the public health and social security services and, above all, the depletion of the treasury, to mention some of the most pressing problems, are matters engaging the constant attention of the civil operations branch of ONUC. It is of the utmost importance to activate the different branches of the Administration so that these pressing problems which are daily mounting up, adding to the volume of insecurity and distress of the population, are tackled on a determined basis. The responsibility for dealing with these pressing problems is of course that of the Congolese Government, the United Nations being willing and ready to help the Government in meeting its responsibilities.

74. The United Nations operations in the Congo have been conducted on the basis of consultation with the Central Government of an unprecedented intensity and extensiveness and under unusually difficult conditions. There have been continuous consultations with the Prime Minister, with the full Council of Ministers and with Committees of that body, with individual Ministers and Ministries, with parliamentary members and delegations and with high officers of the Congolese Army. All important actions of the United Nations in the Congo have been based upon such consultations, which had begun, in fact, even before the Government presented its formal appeal to the United Nations for assistance. In and out of Council meetings, the Prime Minister and individual Ministers have pressed the United Nations representatives with urgent demands for the deployment of United Nations troops in specific localities, for United Nations intervention in troubled areas, for food relief, for emergency health service, for United Nations protection, for quelling disturbances, for aid in financial crises and in unemployment, and on numerous other matters. The Special Representatives and all other senior officials of ONUC, civilian and military, have always been available for such consultations and have given full co-operation. There has been, in addition to the oral consultations, a voluminous correspondence with the Prime Minister and the Ministries of the Government. In spite of this, the difficulties amply exposed in other parts of this report have developed.

75. While a great deal has been done in the face of almost insuperable odds to assist the civil administration in its different functions, from the central and provincial ministries down to the district level, more could have been done, and more can be done, if the basic conditions can be established. Those conditions are some measure of stability in the Central Government, an integrated policy and the assurance throughout the country of a sense of security and freedom from disorder. Unfortunately, the experience of the last two months shows that these conditions have not been achieved either at the Central Governmental level or elsewhere. Indeed, during recent weeks the trend has been in the reverse direction.

76. Nevertheless, in spite of the serious difficulties and impediments which have daily, and even hourly,

confronted this mission, there is no doubt whatsoever that the United Nations presence has had a steadying effect on the situation. The impact of the moral force of the Organization has not been inconsiderable since the very presence of the United Nations troops, conscientiously discharging their peaceful functions, the band of technical advisers and administrators devotedly assisting the Government in its different branches in conditions of extreme difficulty, the Headquarters organization maintaining always an attitude of co-operation and conciliation, scrupulously refraining from taking sides in the political conflict, have all helped in maintaining some measure of calm and reassurance and prevented the situation from degenerating into chaos and disorder.

77. There is yet time for the Congolese leaders and people to take stock of the situation, to put an end to factional and party strife, to reconcile political and sectional interests and to embark on the path of national unity. That path would lead the country to the realization of its integrity, to the achievement of conditions of stability, and to order, progress and prosperity. The path of division would lead only to fratricidal strife, disorder and disintegration, dangerous not only to the Congolese people but to the continent of Africa and, indeed, to the world. This mission is in the Congo to help but not to intervene, to advise but not to order, to conciliate but not to take sides. While it is not part of its functions to get involved in any way in the political crises which have been constantly erupting, it is hoped that before it is too late, the political leadership will make its choice, both wisely and well. In that event, the United Nations assistance programmes, in consultation with the Government, could be applied — and applied with all possible speed — in the interests of the Congolese people, so that the sovereign independent Republic of the Congo could be enabled to take its rightful place in the world community as a stable, self-reliant and prosperous State.

LOCATION AND STRENGTH OF U.N. UNITS IN THE CONGO: SEPTEMBER 1960

Note: This detailed report of the location, nationality, and strength of U.N. units in the Congo is included to illustrate the wide distribution of military units over the vast expanse of the country after the first three months of the U.N. mission. These two tables are taken from Annex 1 of U.N. Document S/4531, SCOR, Fifteenth Year, Supplement for July-September, 1960, pp. 198-202. The accompanying map showing the deployment of U.N. units as of August 19, 1960, is from the same document, p. 238.

Location of UNF Units

<i>Serial Number</i>	<i>Nationality</i>	<i>Unit/Sub-Unit</i>	<i>Location</i>	<i>Remarks</i>
1		ONUC Headquarters	Leopoldville	
2	Canada	Signal squadron	Leopoldville	
3	India	Supply platoon	Leopoldville	
4	Pakistan	Ordnance company	Leopoldville	
5	Ghana	Brigade of 3 battalions and 2 police companies	Leopoldville	
6	Sudan	Battalion HQ and 2 companies	Leopoldville	
7	Tunisia	1 company	Leopoldville	
8	UAR	1 company	Leopoldville	
9	Morocco	Brigade HQ	Leopoldville	
10		HQ 1st Battalion	Thysville	1 platoon in Boende
11		Company HQ and 1 platoon	Boma	
12		Platoon	Tshela	
13		Platoon	Lukula	
14		Platoon	Kitona	
15		Company	Matadi	
16		Company HQ and 1 platoon	Songololo	
17		Section	Lufu	
18		Platoon	Lukala	
19		Platoon	Moerbeke	
20		HQ 2nd Battalion	Kikwit	2 companies in Katanga
21		Company	Leverville	
22		Platoon	Banga	
23		Platoon	Kizia	
24		Company HQ and 2 platoons	Popokabaka	
25	Guinea	Battalion HQ	Banningville	
26		Company	Dima	
27		Company HQ and 1 platoon	Mushie	
28		Platoon	Kwamouth	
29		Platoon	Bolobo	
30		Company HQ and 2 platoons	Inongo	
31		Platoon	Kiri	
32		Company HQ and 1 platoon	Kutu	
33		Platoon	Oshwe	
34		Platoon	Nioki	
35		Platoon	Mabenga	
36	Morocco	Parachute company	Coquilhatville	
37		Platoon	Boende	
38	UAR	Battalion less 3 companies	Gemena	1 company in Leopoldville
39		Company less 1 platoon	Lisala	
40		Company	Bumba	
41		Company	Libenge	
42	Ethiopia	Brigade HQ	Stanleyville	
43		HQ 1st Battalion and 2 companies	Bunia	
44		Platoon	Aba	
45		Platoon	Mambasa	
46		Company HQ	Paulis	
47		Platoon	Poko	Moving to Paulis
48		Platoon	Watsa	
49		HQ 2nd Battalion and 2 companies	Yangambi	
50		Company HQ and 1 platoon	Isangi	

# Location of UNF Units, Continued

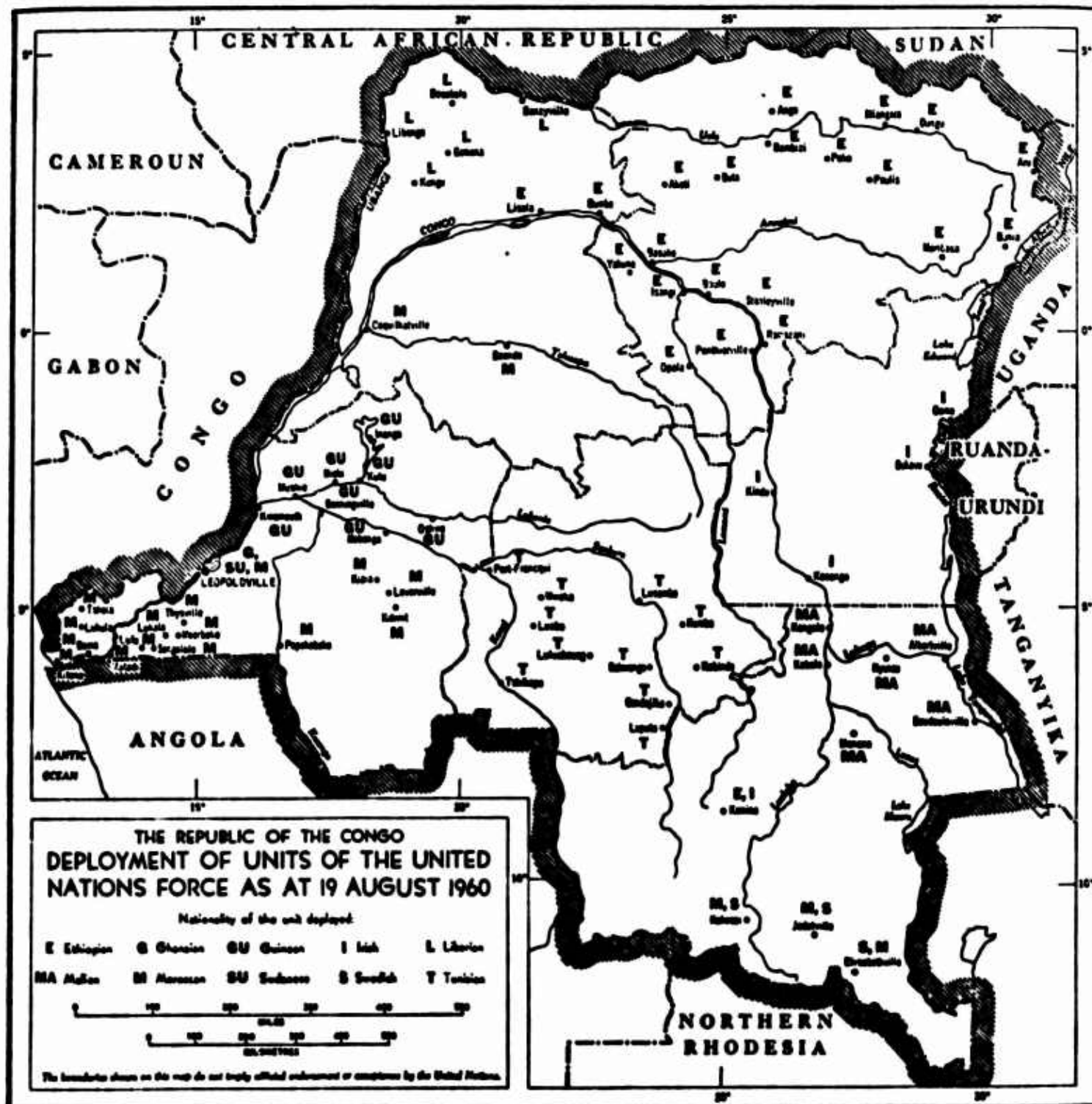
Appendix O-2

Serial Number	Nationality	Unit/Sub-Unit	Location	Remarks
51		Platoon	Elisabetha	
52		Company HQ and 2 platoons	Ponthierville	
53		Platoon	Banalia	
54		HQ 3rd Battalion and 2 companies	Stanleyville	
55		Company HQ and 2 platoons	Buta	
56		Platoon	Aketi	
57		Company	Bambesa	
58	Tunisia	Brigade HQ	Luluabourg	
59		HQ 10th Battalion	Luluabourg	1 company in Leopoldville
60		Company HQ	Bakwanga	
61		Platoon	Kabinda	
62		Platoon	Dibaya	
63		Section	Kaulu	
64		Section	Kalala	
65		Platoon	Lusambo	
66		Company HQ and 1 platoon	Mwene Ditu	
67		Platoon	Gandajika	
68		Platoon	Luputa	
69		Company HQ and 1 platoon	Kadima-Diba	
70		Platoon	Dimbelenga	
71		HQ 9th Battalion and 1 company	Tshikapa	
72		Company	Port Francqui	
73		Company	Mweka	
74		Platoon	Lubami	
75		Platoon	Katumba	
76	Liberia	Battalion HQ and 1 company	Luluabourg	On railway protection duties
77		Platoon	Tshimbulu	
78		Platoon	Kalu	
79		Platoon	Kele	
80		Platoon	Musenga Banza	
81		Platoon	Luputa	
82	HQ ONUC	Sub-Command or Eastern Provinces (Katanga-Kivu)	Elisabethville	
83	Sweden	Battalion HQ and 1 company	Elisabethville	1 company in Kamina
84		Platoon	Kasenga	
85		Platoon	Sakania	
86		Platoon	Manono	On temporary assignment
87	Morocco	Company HQ and 1 platoon	Jadotville	From 2nd Moroccan Battalion
88		Platoon	Kambove	
89		Platoon	Mitwaba	
90		Company HQ and 1 platoon	Lubudi	
91		Platoon	Tenke	
92		HQ 3rd Battalion	Kolwezi	
93		Platoon	Nzilo	
94		Company HQ and 1 platoon	Dilolo	
95		Platoon	Mutshatsha	
96		Platoon	Kasaji	
97		Platoon	Sandoa	
98		Platoon	Kapanga	
99	Sweden	1 Company	Kamina	
100	Ireland	2 Companies	Kamina	1 company each from 32nd and 33rd Battalions
101	Ethiopia	HQ 4th Battalion	Kamina	
102		Platoon	Kaniama	
103		Platoon	Malamba	
104		Platoon	Bukama	
105		Platoon	Luena	
106	Ireland	HQ 33rd Battalion	Albertville	
107		Platoon	Kabinda	
108		Platoon	Bendera	
109		Platoon	Bandounville	
110		Company HQ and 1 platoon	Manono	
111		Platoon	Piana	
112		HQ 32nd Battalion	Goma	
113		Company	Kindu	
114		Company	Bukavu	
115	Mali	Battalion HQ and 1 company	Kabalo	
116		Company	Nyansa	
117		Company	Kongolo	
118		Company	Kabongo	

Strength of UNF UnitsB. Strength of contingents

<i>Serial Number</i>	<i>Countries</i>	<i>H. Q. ONUC</i>	<i>Deployed</i>	<i>Total strength</i>	<i>Expected</i>	<i>Total</i>
1	Argentina .....	—	10	10	—	10
2	Australia .....	—	—	—	—	—
3	Brazil .....	—	9	9	—	9
4	Burma .....	8	1	9	—	9
5	Canada .....	26	234	260	—	260
6	Ceylon .....	9	—	9	—	9
7	Denmark .....	4	26	30	—	30
8	Ethiopia .....	6	2,566	2,572	—	2,572
9	Ghana .....	3	2,288	2,291	—	2,291
10	Guinea .....	1	748	749	600	1,349
11	India .....	23	350	373	247	620
12	Indonesia .....	8	—	8	1,144	1,152
13	Ireland .....	6	1,377	1,383	—	1,383
14	Italy .....	1	89	90	—	90
15	Liberia .....	11	223	234	—	234
16	Malaya .....	8	—	8	613	621
17	Mali .....	1	576	577	—	577
18	Morocco .....	10	3,247	3,257	—	3,257
19	Netherlands .....	1	5	6	—	6
20	New Zealand .....	—	1	1	—	1
21	Norway .....	4	43	47	6	53
22	Pakistan .....	4	244	248	298	546
23	Sudan .....	4	394	398	—	398
24	Sweden .....	22	594	616	54	670
25	Switzerland .....	—	22	22	—	22
26	Tunisia .....	1	2,632	2,633	—	2,633
27	United Arab Republic .....	1	518	519	—	519
28	Yugoslavia .....	—	20	20	—	20
TOTAL		162	16,217	16,379	2,962	19,341





BRIEF SKETCHES OF MILITARY INCIDENTS AND DEVELOPMENTS

Note: From the numerous military events during the first four years of the Congo's independence, the following have been selected because of their bearing on the analysis of the Report. Each incident is identified by date, the character of the action involved, and the casualties when known. Where relevant these incidents are cited in the text of the Report by their title in order to avoid unnecessary repetition in the analysis. The events and developments are arranged chronologically as follows:

1. Belgian Intervention in Matadi, July 11, 1960
2. Ndjili Airport Incident, August 18, 1960
3. First ANC Penetration of Katanga, August 25-September 23, 1960
4. Congolese Assault on U.S. and Canadian Airmen, Stanleyville, August 27, 1960
5. The Bakwanga Massacre by ANC Troops, August 29, 1960
6. Establishment of U.N. Protected Neutral Zone in North Katanga, October 17, 1960
7. Ambush of Irish U.N. Troops at Niemba, November 8, 1960
8. Clash Between ANC-Leopoldville and Ghanaian and Tunisian Troops at the Ghanaian Embassy, Leopoldville, November 21-22, 1960
9. Congolese Molestation of U.N. Personnel, February 26-27, 1961
10. Arrest and Rescue of Austrian Medical Team in Bukavu, December 15-16, 1960
11. "Operation Union" by Nigerian U.N. Troops in Kasai, July-December 1961
12. ANC Leopoldville Attempt to Capture Bukavu Through Ruanda-Urundi, December 31-January 1, 1961
13. Stanleyville ANC Intrusion into North Katanga, January 1961
14. Swedish Observation Unit Operations in Dilolo, Katanga, February 1961
15. Congolese Military Operations on the Equateur-Orientale Border, February 1961
16. Elisabethville's "Pacification" Operation in North Katanga, February-April 1961

Appendix P

17. Incidents Between ANC Troops and U.N. Troops at Banana, Matadi, and Kitona, March 3-6, 1961
18. Ghanaian U.N. Troops Killed by ANC Troops at Port Francqui, April 28, 1961
19. The Egge Plan, June 1961
20. Round One, Katanga, September 13, 1961-September 21, 1961
21. Italian Airmen Killed by ANC Troops at Kindu, November 11, 1961
22. Round Two, Katanga, December 5-19, 1961
23. Kongolo Massacre by ANC-Stanleyville Troops, December 29, 1961-January 1, 1962
24. Action of Ethiopian Troops in Stanleyville on Behalf of Leopoldville, January 13-16, 1962
25. Round Three, Katanga, December 28, 1962-January 21, 1963
26. "Operation Friendship:" Malayan and Nigerian U.N. Troops Secure Northern Katanga Late January 1963-February 1963
27. U.N. Rescue Missions in Kasai, January-February 1964

1. BELGIAN INTERVENTION IN MATADI, JULY 11, 1960

Background: On July 8 and 9 there was some disorder in the port city of Matadi at the mouth of the Congo River. Congolese soldiers and policemen attacked, beat up, and imprisoned some Europeans. Fearing Belgian intervention, Kasavubu and Lumumba came to Matadi and released the captive Europeans and apologized for the mistreatment of Europeans by the Congolese.

Incident: On July 11 the Belgians intervened to prevent looting and to insure access to the port. The S.S. Kamina, four armed escort boats, and three armed smaller boats with about 100 Belgian marines came and occupied the town. Four Harvard planes flew overhead to impress the Congolese. Not a shot was fired.

Suddenly fighting started. The Belgians fired at least four 75-milimeter shells on the port. The cause of the fighting is obscure. A Harvard crashed and some observers believe that the Congolese thought it was the beginning of an air attack. One Harvard attacked a Congolese armored column on its way from Thysville to Matadi. All Belgian troops left Matadi on July 11.

Casualties: From 12 to 19 Congolese were killed and 13 Belgians were wounded.

2. NDJILI AIRPORT INCIDENT, AUGUST 18, 1960

Background: Since the arrival of the first UNF units there was an uneasy and uncertain relation between U.N. troops and undisciplined ANC troops.

Incident: On the morning of August 18, at Ndjili Airport, Leopoldville, ANC soldiers entered a U.N. aircraft (C-119), marched away the Indian crew at gun point, manhandled three Moroccan civilian passengers, and searched and beat four out of fourteen Canadian members of the

UNF. The Congolese accused the Canadians of being Belgian paratroopers. The Canadians were rescued by Ghanaian UNF troops.

After a warning from General Iyassu and General Rikhye, the Congolese major withdrew the ANC company from the airport. Two Sudanese companies of the UNF moved in to control the airport.

That afternoon Prime Minister Lumumba cancelled an appointment with Ralph Bunche to discuss the incident ten minutes before it was scheduled. Two days later, Colonel Mobutu, as ANC Chief of Staff, sent a note of apology to Dr. Bunche and said the soldiers responsible for the "deplorable incident" were being sternly dealt with.

Casualties: None killed; one Canadian officer was hospitalized.

### 3. FIRST ANC PENETRATION OF KATANGA. AUGUST 25 - SEPTEMBER 23, 1960

Background: After Hammarskjold's introduction of a token UNF in Katanga on August 12, and a bitter exchange of letters between him and Lumumba over the interpretation of the mandate, Lumumba decided to accept Soviet assistance to move his ANC troops into Katanga via South Kasai. In South Kasai ANC troops were to put down Kalonji's separatist "Mining State."

Operation: On August 25 Russian aircraft began to transport ANC troops from Leopoldville to Luluabourg, the capital of Kasai, for the attack. These troops joined ANC soldiers from the Luluabourg garrison. On the following day both ANC groups attacked Bakwanga. (This is where the Bakwanga massacre took place on August 29. See Appendix P-5.) Another column moved along the Port Francqui-Kamina Railway toward Kaniama in north Katanga.

On September 17, a third force of Stanleyville ANC troops attacked across the Kivu-Katanga border towards Kongolo where they met only light Katangan gendarmerie resistance. U.N. officials negotiated withdrawal of ANC troops from Katanga and South Kasai to prevent further clashes, and on September 23, the U.N. Command assisted in the air movement of ANC forces back to Leopoldville, Thysville, and Stanleyville. The UNF did not respond quickly enough to a Central Government request to set up a neutral zone in South Kasai and the Kalonji regime was reestablished there shortly thereafter.

Casualties: Exact figures are not available, but Congolese and Katangan military casualties were light. Civilian casualties, including "Bakwanga massacre," are estimated in the thousands.

4. CONGOLESE ASSAULT ON U.S. AND CANADIAN AIRMEN, STANLEYVILLE  
AUGUST 27, 1960

Background: The hasty build-up of the UNF during the early months of the operation relied very heavily on the use of aircraft based outside of the Congo. Due to the highly nervous state of the ANC, Congolese soldiers were inclined to regard any white military personnel as Belgians if they could not identify themselves as members of the UNF. This led to misunderstandings, arrests, and occasional brutality.

Incident: On August 27 a U.S. Air Force plane transporting vehicles directly from Canada, landed at the Stanleyville airport. The eight American crew members and two Canadian soldiers, who did not have U.N. identity cards, were arrested by the local ANC detachment, Congolese police, and members of a large crowd which had gathered at the airport to greet Lumumba. The U.S. and Canadian personnel were beaten severely before a detachment from the Ethiopian UNF contingent stationed in Stanleyville was able to intervene and rescue them.

Casualties: None.

5. THE BAKWANGA MASSACRE BY ANC TROOPS, AUGUST 29, 1960

Background: On August 9, 1960, Albert Kalonji established the independent "Mining State of Kasai" with Bakwanga as the capital. He depended largely upon Kasai Baluba for his support. Tribal disorders between the Baluba and the local Bene-Lulua occurring shortly thereafter caused a severe refugee problem in the Bakwanga area and resulted in the imprisonment of Bene-Lulua. One of the objectives of Lumumba's joint Leopoldville-Stanleyville military operation against Katanga on August 25, 1960 (See Appendix P-3) was to capture Bakwanga and terminate Kalonji's secession in South Kasai.

Incident: On August 27, Leopoldville ANC troops stationed in Luluabourg occupied Bakwanga with no opposition. Kalonji had fled two days earlier to Elisabethville. Lacking adequate logistical support and transportation to move on to Katanga, the troops began to take food and equipment from the local population. They released Lulua tribesmen from prison and imprisoned owners of cars and trucks. Baluba tribesmen who had first fled, returned to fight on August 29. Armed with primitive weapons and shotguns they were no match for the ANC and many Balubas were killed. Civilian Baluba in the Mission of St. Jean de Bakwa were machine-gunned by the ANC. U.N. troops (Tunisian) were unable to do much more than guard a building in the center of Bakwanga where Europeans had taken refuge.

Casualties: U.N., none, ANC unknown, but probably very light. Total civilian deaths are unknown, but are estimated at 200 in the first day and in the thousands in the general Bakwanga area before order was restored.

6. ESTABLISHMENT OF U.N. PROTECTED NEUTRAL ZONE IN  
NORTH KATANGA, OCTOBER 17, 1960

Background: After the Stanleyville ANC invasion of north Katanga (see Appendix P-3) in August 1960, Katangan Baluba youth became active in guerrilla operations against Katangan government troops, gendarmerie, installations, and transportation facilities in the Tanganyika district of northeastern Katanga. Intense fighting occurred in Manono, September 13 - 14; the town was looted and Europeans were evacuated before Irish U.N. troops restored order. Concurrently, fighting in Luena broke out between Tshombe supporters and local Baluba tribesmen. Katangan gendarmerie captured and shot 68 Baluba in Luena, and conducted reprisal raids in Niemba, Kabalo, and Kitwaba in northeastern Katanga.

Incident: To prevent the situation from getting out of hand, U.N. officials proposed that Tshombe agree to the establishment of a neutral zone in north Katanga in which the U.N. troops would be responsible for law and order and for preventing the entry of all armed groups. As a result, the Rikhye-Tshombe agreement was signed on October 17, 1960. It provided for the neutralization of the territories of Nyunzu, Kabalo, and Manono and the north of the territories of Malemba-Nkulu, and Kabongo, and the area of Luena and Bukama. The U.N. Command began security patrols in north Katanga to implement the agreement.

Casualties: Approximately 35 Baluba were killed in Manono and 68 Baluba were executed in Luena. Other Congolese deaths during this period are not known, but were high, perhaps in the low hundreds.

7. AMBUSH OF IRISH U.N. TROOPS AT NIEMBA, NOVEMBER 8, 1960

Background: The gradual buildup of Baluba irregular operations in northern Katanga from August through October, 1960, is noted above in Incidents 3 and 6. Troops of the Irish contingent, with headquarters in Albertville, were given the responsibility for maintaining law and order. To accomplish this, a number of small detachments were stationed in various key locations where they operated patrol bases. One of these was in Niemba. It was manned by an Irish platoon under the command of Lt. Kevin Gleason.

Incident: On November 8, Lt. Gleason left Niemba with a twelve man patrol to open the road south of the town which had been blocked by Baluba irregulars. Despite warnings he had received from an experienced Swedish officer only the day before to be extremely careful in dealing with the Baluba, he permitted the patrol to be surrounded too closely by a group of Baluba a short distance from Niemba. The Baluba attacked unexpectedly splitting the patrol into two groups and massacred all but two men who were able to escape. One Irish soldier was recovered the day of the attack and the other, who was severely wounded, the day after by a relief patrol. A Baluba, who had participated in the attack, was later



questioned to determine why a patrol which had operated in the same area a few days before had been left alone and the November 8 patrol assaulted. He stated that the Baluba had "received strong witchcraft" and that the earlier patrol had looked too aggressive to attack.

Casualties: Ten U.N. Irish personnel killed, two wounded. Number of Baluba casualties unknown.

8. CLASH BETWEEN ANC-LEOPOLDVILLE AND GHANAIAAN AND TUNISIAN TROOPS AT THE GHANAIAAN EMBASSY, LEOPOLDVILLE, NOVEMBER 21-22, 1960

Background: Following the Mobutu coup of September 14, relations between the Congolese and Ghanaian governments deteriorated rapidly. In early October a number of Ghanaian diplomatic representatives in Leopoldville, including a Nathaniel Welbeck who had not been accredited to the Congolese Government, were declared personnae non gratae by President Kasavubu and Foreign Minister Bomboko.

Incident: On November 21, Lt. Col. Justin Kokolo, Commander of the ANC in Leopoldville, and two civilian officials demanded entry into the Ghanaian Embassy in order to deliver the government expulsion order to Welbeck. A Tunisian detachment was on external guard duty and Ghanaian troops were on internal Embassy guard duty. The Ghanaian troops apparently opened fire upon the three unarmed Congolese, killing Lt. Col. Kokolo. As a result shooting broke out between the Tunisian guard and ANC troops outside the Embassy. The exchange of fire lasted through the night. The forced entry was successfully resisted.

Casualties: Lt. Col. Kokolo was killed; other ANC casualties unreported. U.N. casualties: one Tunisian killed and nine wounded.

9. CONGOLESE MOLESTATION OF U.N. PERSONNEL, FEBRUARY 26-27, 1961

Background: Relations between the UNF and the Kasavubu Government, exacerbated by personal differences between Dayal and Congolese officials, deteriorated rapidly after the passage of the February 21, 1961, Security Council resolution. The Kasavubu Government, convinced that the UNF intended to invoke the resolution as authority to disarm the ANC, began a campaign of deliberate harassment of U.N. personnel and obstruction of U.N. operations which culminated in the military attack on U.N. facilities in the lower Congo (see Appendix P-17).

Incident: In a period of 48 hours, February 26 and 27, the following separate incidents occurred: On February 26 all traffic was halted by a road block about 10 miles outside of Leopoldville; civilian traffic was ultimately allowed to move, but U.N. military traffic was held up. Five Tunisian U.N. soldiers were disarmed and detained by the ANC. A U.N. officer and a U.N. secretary were arrested by ANC paracommandos;



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the officer robbed and the secretary raped twice. Fourteen U.N. military personnel were arrested, detained, and beaten, but later released. The Nigerian Inspector General of Police and several other Nigerian police officers were detained for four hours; a mixed Nigerian-Congolese police patrol was attacked and beaten by ANC soldiers. On February 27 four UNF military police were arrested. Four Canadian military personnel were arrested, beaten, and forced to run barefoot for half a mile; they were released only after U.N. intervention.

Casualties: Injuries suffered as indicated above.

10. ARREST AND RESCUE OF AUSTRIAN MEDICAL TEAM IN BUKAVU  
DECEMBER 15-16, 1960

Background: During the period December 8 to 14, a small Austrian medical unit arrived in Bukavu, the capital of Kivu, to establish a hospital for the UNF. The U.N. Command notified the Leopoldville Government and the provincial authorities of the team's arrival.

Incident: In the evening of December 15, a truckload of local Congolese gendarmes surrounded the hospital in Bukavu on the pretext that some of the Austrians were really Belgians. While the Austrians were trying to explain their identity, Provincial President Jean Miruho arrived and supported the gendarmerie.

Later in the evening the gendarmerie arrested the Austrians, the local UNF commander, a Nigerian, and the chief U.N. civilian representative in Bukavu. Negotiations between U.N. officials and Miruho resulted in his permission to move the arrested men from the prison to their quarters, but the local ANC detachment disregarded the orders of their officers and forcibly prevented the removal of the Austrians.

The Nigerian UNF battalion provided a platoon of soldiers to protect the Austrian personnel who had to be left in the prison. Later that night, the Nigerians were overwhelmed and disarmed. Further negotiations with Miruho during the early morning hours of December 16 were fruitless. Following a warning that force would be used to release all the arrested U.N. personnel, the Nigerian contingent attacked the prison at noon on December 16 with a force of four platoons. The ANC requested a cease-fire at 3:30 p.m., though firing did not actually stop until about 6:00 p.m., after which the Austrians were released.

Casualties: U.N., one killed and five wounded. ANC, about ten killed and fifty wounded.

11. "OPERATION UNION" BY NIGERIAN U.N. TROOPS IN KASAI,  
JULY - DECEMBER, 1961

Background: Following the creation of the secessionist "Mining State of Kasai" by Kalonji on August 9, 1960, the abortive attempts to invade Katanga through Kasai, and the Bakwanga massacres (see Incidents 3 and 5), there was a general breakdown in law and order in the southern part of Kasai province. By July 1961 the provincial administrative organization had ceased to function, tribal conflict was widespread, and five different Congolese military elements were operating in the province, all of them generally unfriendly toward the U.N. presence. They were: ANC Leopoldville, ANC Stanleyville, ANC Kalonji, the provincial gendarmerie, and remnants of the civil police force. The Nigerian 3rd Brigade was ordered into Luluabourg to replace the Ghanaian Brigade on July 16. It had only five companies of infantry to secure the Port Francqui-Kamina railway and reestablish law and order.

Operation: Tactical requirements forced the brigade to use two companies in Luluabourg to secure the city and the airport which was five miles from the city, and three companies along the railway line. The requirement to reestablish law and order was met by a three-phase "Operation Union," a series of team visits by light fixed-wing aircraft and helicopters to all outlying areas. This display of the U.N. flag made a considerable impact. With the exception of southeast Kasai, where the movements and activities of the Stanleyville ANC continued to create problems until the end of the Katangan secession, the basic objectives of Operation Union had been achieved by the end of 1961. By November 1962 inter-tribal conflict was being contained and relations between the Kalonji gendarmerie and the ANC had been stabilized.

Casualties: Not applicable.

12. ANC LEOPOLDVILLE ATTEMPT TO CAPTURE BUKAVU THROUGH RUANDA-URUNDI:  
DECEMBER 31-JANUARY 1, 1961

Background: By December, 1960, the Gizenga regime in Stanleyville had consolidated its influence in a large part of Kasai, Kivu, north Katanga, and western Leopoldville province. Gizenga announced on December 12, 1960, that Stanleyville would henceforth be the capital of the Congo. On December 25, some 60 Stanleyville ANC troops moved into Bukavu, capital of Kivu, and arrested the local ANC commander, accusing him of preparing to transfer allegiance to Leopoldville. They also arrested the provincial president and took them both to Stanleyville.

Incident: The Central Government reacted to the Bukavu arrests by moving approximately 100 Leopoldville ANC troops from Luluabourg into Ruanda-Urundi on December 31. These troops landed in Usumbura late New Year's eve and were moved by truck to the eastern end of the Ruzizi River bridge in Bukavu. About half of this number moved under the protection of

a white flag across the bridge into Bukavu at dawn on January 1. The Stanleyville ANC garrison in Bukavu attacked the troops and forced them to surrender.

Concurrently a Belgian paratroop unit in Shangugu, Ruanda-Urundi, captured and disarmed the other 50 Leopoldville ANC troops on the Ruanda-Urundi side of the river. During this action U.N. troops (Nigerian) were instructed to deploy in depth behind the Stanleyville ANC Bukavu garrison to avoid interfering with the ANC defenses, and to try to promote a cease-fire. U.N. troops did not become directly involved in the fighting, but provided their good offices to arrange a cease-fire. Although there was some sporadic firing across the border on January 3, 1961, the Leopoldville ANC made no attempts to cross the border after January 1.

Casualties: U.N., none. Leopoldville ANC, two wounded. One Usumbura official was killed.

### 13. STANLEYVILLE ANC INTRUSION INTO NORTH KATANGA, JANUARY 1961

Background: After the abortive attempt by Leopoldville ANC to enter Bukavu and establish control (see Appendix P-12), Gizenga appointed Anicet Kashamura as head of Kivu province on January 2, 1961, to consolidate Stanleyville control.

Incident: On the night of January 7, 1961, some 400 to 600 Stanleyville ANC troops, who had moved secretly through Kivu province and into northern Katanga, entered the town of Manono. They brought with them two Balubakat politicians, Prosper Mwamba Ilunga and André Shabani, who announced they were establishing the independent "Province of Lualaba." U.N. forces in Manono (Nigerian) were caught completely by surprise, despite the fact that the United Nations had agreed to exclude armed forces from this area in the Rikhye-Tshombe accord of October 17, 1960. As a result of this incident Tshombe abrogated the accord on January 12, 1961 (see appendix P-6).

Casualties: None to U.N. forces. Stanleyville ANC casualties unknown, but presumed light, if any.

### 14. SWEDISH OBSERVATION UNIT OPERATIONS IN DILOLO, KATANGA FEBRUARY 1961

Background: As part of the deployment of U.N. forces in Katanga during the fall of 1960, and particularly to prevent, or at least deter, the movement of military materiel into Katanga over the Angolan border, the UNF stationed a company of Moroccan troops in the border town of Dilolo in southwest Katanga. Reductions in the Force caused by the withdrawal of some of the Casablanca group contingents, and urgent requirements for concentrating strength in northern Katanga and the Elisabethville area, forced

a reduction in some of the outlying areas such as Dilolo. By February 1961, the Dilolo outpost was manned by a Swedish detachment of nine men. Relations between the UNF and Tshombe deteriorated rapidly after the February 21 resolution and the announcement that Indian combat troops were to be moved into Katanga.

Incident: The observation detachment served in Dilolo for approximately one month until its vulnerability was fully demonstrated by an attempt to force the unit to close down its operations by 70 local gendarmerie and a group of about 500 tribal warriors. Marooned in their hotel billet for 24 hours, the detachment refused to surrender, informing a Belgian go-between that they would kill as many of their attackers as they could before being overwhelmed and that they would, further, fully inform the world by radio through the command in Elisabethville of what was happening. The U.N. Command in Elisabethville, informed of the situation, could give no relief; the detachment was thrown on its own resources until the gendarmerie were withdrawn, presumably on orders from the Katangan Government. The post was abandoned several days later as part of a move to consolidate more strength in Elisabethville.

Casualties: None to either side.

15. CONGOLESE MILITARY OPERATIONS ON THE EQUATEUR-ORIENTALE BORDER  
FEBRUARY 1961

Background: By the end of 1960 the Gizenga regime in Stanleyville had been established with an effective military force of 5,000 local ANC soldiers under General Victor Lundula. Gizenga also had 300 provincial gendarmerie who were personally loyal to him. Leopoldville's attempts to put down the rival regime had been limited to a partially successful economic blockade during the late fall of 1960. In late December and early January the Stanleyville regime began operations which expanded into Kivu and north Katanga (see Appendix P-12 and 13), and began to mass troops on the Orientale-Equateur border.

Operation: In order to counter the threat of a westward military expansion by the Stanleyville ANC, Leopoldville moved approximately 1,500 troops from Leopoldville into the Bumba area in Equateur province and concurrently redeployed elements of the 20th ANC battalion from Coquilhatville eastward to Bumba. In Lisala, west of Bumba, the civilian population, in reaction to ANC plundering, attacked the ANC. The U.N. commander met with General Mobutu on February 21, to discuss the establishment of a neutral zone between the regions occupied by Leopoldville and Stanleyville ANC.

On February 25, 1961, Stanleyville ANC bypassed Mobutu's forces to the south and crossed into Equateur province at Ikela where the local Leopoldville ANC surrendered. Leopoldville ANC reinforcements sent from Boende, west of Ikela, defected to the Stanleyville ANC. Concurrently,

there were Leopoldville ANC movements from Coquilhatville to Boende and Ingende which involved no fighting. These movements culminated in the surrender of an additional company of the Leopoldville ANC. By the end of February, the U.N. Force Commander had secured the agreement of General Lundula in Stanleyville to withdraw his forces from Equateur province on the condition that the UNF occupy Ikela.

Casualties: No reports of casualties are available. They were extremely light, if any.

16. ELISABETHVILLE'S "PACIFICATION" OPERATION IN NORTH KATANGA:  
FEBRUARY - APRIL, 1961

Background: After the Stanleyville ANC occupation of Manono on January 7, 1961, and Tshombe's abrogation of the Rikhye-Tshombe accord on January 12, 1961 (see Incident 13), Katangan gendarmerie began preparations to clear Balubakat irregulars from the main lines of communication in north Katanga which the UNF had been unable to keep open.

Operation: On February 11, 1961, Katangan authorities announced the launching of operations northward from Lubudi, on the Elisabethville-Kamina railroad line. Approximately 5,000 Katangan forces were involved. The drive was combined with attempts to clear the railway from Albertville west to Kabalo and from Kongolo southward to Kabalo. Concurrently, the area south of Manono was to be "pacified" and Manono itself to be recaptured. Operations continued through March. Manono was captured by the Katanga gendarmerie on March 30 from a combined force of Stanleyville ANC and Balubakat Jeunesse.

Operations westward from Albertville and southward from Kongolo towards Kabalo were launched about March 27. The U.N. garrison in Kabalo (units of an Ethiopian battalion) halted the Katangan forces, captured a group of Katangan mercenaries who entered Kabalo by air, and destroyed a barge carrying a waterborne force. The exchange of fire between the Katangans and the United Nations in Kabalo began on April 7 and continued on the morning of April 8. The Katangan gendarmerie continued their attempts to enter Kabalo. They encountered heavy and successful harassment operations conducted by the Baluba tribesmen and finally withdrew from the area on April 11 to continue pacification operations farther to the south. The U.N. Command reinforced Kabalo with one Ethiopian company and 400 Malaysians on April 10, but it no longer retained effective control between the garrisoned posts located in north Katanga.

Casualties: Baluba casualties for the entire period February 11 to April 11 are unknown, but were probably in the low hundreds. Casualties during the March 30 operation in Manono were four or five gendarmerie and seven ANC killed. Casualties in the Kabalo operation on April 7 and 8 included 30 white mercenaries captured by the United Nations; five U.N. personnel were killed and four wounded; three gendarmerie wounded and an unknown number dead.

17. INCIDENTS BETWEEN ANC TROOPS AND U.N. TROOPS AT BANANA, MATADI, AND KITONA, MARCH 3-6, 1961

Background: Among the first U.N. facilities established in the lower Congo were the major base at Kitona, a port facility at the port of Matadi, and a small naval facility at Banana at the mouth of the Congo River. Previously under the control of the Moroccans, a Sudanese battalion of reduced strength had been made responsible for securing these facilities in mid-February 1961. Total U.N. strength was only 350 in the lower Congo against a total of 1,000 ANC, of which about 600 were in Matadi.

Incident: On February 28 the U.N. civilian administrator at Kitona and a sergeant were arrested and the sergeant disarmed. About noon on March 3 a U.N. civilian radio operator arrived at the Moanda commercial airfield and was arrested because he had no U.N. identification. Released for dinner, he returned to the airport with the commander of the Sudanese contingent, escorted by a Sudanese security detachment. Halted by the ANC, the Sudanese fired overhead shots, causing four of the ANC troops to drop their arms and flee. Two Congolese surrendered.

After the Sudanese commander's departure the detachment attempted to return the two Congolese to the ANC camp in Banana. Fired on by a Congolese soldier from the rear, the Sudanese returned fire, killing a Congolese soldier. Late in the afternoon the ANC opened fire on the U.N. camp in Banana, ultimately causing the U.N. detachment to withdraw from the base to Kitona about midnight of March 3. During the same evening communications between the Sudanese outposts in Matadi and the company headquarters were cut. Civilians vacated the streets during the night and, in mid-morning of March 4, the Canadian signal detachment in the Hotel Metropole found itself surrounded. Sporadic firing was opened by the ANC and returned by the Sudanese guard detachment. Concurrently, the Sudanese camp was taken under small arms fire. The fire-fight continued with several interruptions during the rest of the day and into March 5 when a U.N. liaison officer, the Acting Chief of Staff of the ANC, and the Minister of the Interior (acting as Minister of Defense) opened negotiations for a cease-fire. At noon the Congolese again opened fire, apparently prearranged. Faced with a shortage of ammunition, and clearly overwhelming Congolese strength the local Sudanese commander agreed to a cease-fire on condition of Sudanese withdrawal from Matadi. The Sudanese were disarmed and moved out of Matadi on March 6 leaving the port unoccupied by the United Nations until June 19, 1961.

Casualties: ANC not reported and unknown. U.N., two Sudanese soldiers killed.



19. GHANAIAN U.N. TROOPS KILLED BY ANC TROOPS AT PORT FRANQUI,  
APRIL 28, 1961

Background: In accord with its policy of providing protection to high Congolese leaders, two officials from Luluabourg were flown to Port Francqui in a light U.N. aircraft on April 26 to elude ANC roadblocks set up in anticipation of their arrival. The officials asked for U.N. protection at the Hotel des Palmes in Port Francqui which the United Nations had taken over as a billet from the Bas Congo-Katanga railway. Friction between the ANC and the UNF had been exacerbated by the closing of the hotel bar to all ANC personnel and Congolese civilians. The ANC was further angered when the railroad flag was hung from a balcony, reportedly to dry, which they took to mean that the Belgians were in control of the hotel.

Incident: In the late afternoon of April 26 some 20 ANC troops came to the Hotel des Palmes to interview the Congolese officials in order to find out why they had sought protection from the United Nations rather than from the ANC. Receiving no satisfaction, the ANC the following morning began to disarm the scattered Ghanaian troops in Port Francqui. Two British officers, commanding the Ghanaian troops, were intercepted by the ANC as they were investigating the situation and three Swedish members of the local movement control unit were arrested at the hotel during the day. During the evening of the 27th the Ghana Brigade in Luluabourg received a report of these events and sent two platoons and a reconnaissance detachment as a relief column to Port Francqui. Learning that the relief column engaged a roadblock south of Port Francqui at 8:00 a.m., April 28, the ANC in Port Francqui murdered a disputed number of Ghanaian troops and officers. Only two bodies were recovered. Local investigations made it clear that the bodies of the others killed had been thrown into the river.

Casualties: In Port Francqui: 47 U.N. personnel killed according to U.N. records. At the road block, one U.N. Ghanaian soldier killed and three wounded. Two ANC soldiers killed. (According to General Alexander, 120 Ghanaians with their British officers were murdered. See Major-General H. T. Alexander, African Tightrope: My Two Years as Nkrumah's Chief of Staff [New York: Praeger, 1966], p. 66.)

19. THE EGGE PLAN, JUNE 1961

Background: To implement the February 21, 1961, Security Council resolution which called for the immediate withdrawal of Belgian and other foreign military personnel from the Congo, the U.N. Command requested Col. Björn Egge (Sweden), a U.N. intelligence officer, to make a survey of the situation in Katanga. His study, which resulted in the so-called Egge Plan was completed on June 30, 1961. The Egge Plan was never adopted by U.N. authorities, primarily because they were not interested in building a reliable gendarmerie which would be used to perpetuate Katanga's secession.

The Egge Plan: The Plan called for a phased withdrawal of prohibited foreign officers, who were to be replaced by foreign officers recruited by the United Nations or qualified Congolese. Colonel Egge estimated that there were 512 foreigners of all ranks in the gendarmerie. To prevent disorder in the period of transition, Egge recommended the following:

1. The Katangan forces should immediately designate a Congolese commander.
2. Fifty-two of the 512 foreigners who belonged to non-cadre personnel (i.e., officers and NCO's who were not integrated in command and similar positions with Katangan troops in the gendarmerie) should be removed immediately.
3. The remaining 460 non-Congolese cadres should be withdrawn according to a phased plan within 8 to 90 days. They should be replaced by U.N. recruited personnel. All U.N. recruited officers had to speak French and all officers and NCO's in direct contact with Katangan troops had to have a working knowledge of the dominant tribal language.
4. Simultaneously with the phasing-out of non-Congolese personnel in the gendarmerie, the Africanization of the gendarmerie should be implemented as quickly as possible.

20. ROUND ONE. KATANGA. SEPTEMBER 13, 1961 - SEPTEMBER 21, 1961

Background: The political and operational context of Round One, the second attempt to round up mercenaries in Elisabethville, is discussed in Chapter 6, pp. 109-117, and Chapter 17, pp. 361-363.

Additional Information: UNF troop strength in Elisabethville during the September operation was: Indian Brigade headquarters--80 men; two Indian infantry battalions--1,650 men; Indian heavy mortar detachment--30 men; Indian heavy machine gun detachment--40 men; administrative units--75 men; Swedish infantry battalion (minus two companies)--460 men; Irish infantry battalion (minus one company) 470 men; Malayan reconnaissance detachment (Ferret armored cars)--20 men; Italian hospital unit--60 men; miscellaneous personnel of other contingents--20 men.

Command arrangements had been changed about one month before the operation. The Swedish-Irish command, under Colonel Jonas Waern (Sweden), which had previously had the full responsibility for Elisabethville, had been placed under the command of the Indian Brigade headquarters which still maintained direct control over its two component battalions, the Gnurkas and the Dogras, rather than establishing an intervening echelon to balance Waern's command as was the case during the later December fighting (Round Two, Incident 22). Although the resulting span of control was, theoretically, not excessive, the confusion over the Swedish unit's mission



to seal off Tshombe's residence and O'Brien's view that the Swedes could be counted on to follow orders, suggests that a failure to adjust to these changes in command lines may have been responsible for Tshombe's elusion of the UNF.

Casualties: UNF, nine killed; Katangan, twenty plus.

21. ITALIAN AIRMEN KILLED BY ANC TROOPS AT KINDU, NOVEMBER 11, 1961

Background: During October 1961, the Gizenga regime extended its military control from Orientale province into Kivu. Troops of the 20th ANC battalion of the 3rd Group (headquartered in Stanleyville), were stationed in the city of Kindu. U.N. forces in Kivu totalled slightly over 200 men stationed at the air field. The total ANC strength approximated 1,000, divided between the airfield and the city of Kindu.

Incident: On November 11, a U.N. C-119 transport carrying two armored cars for the Malayan contingent arrived at the Kindu airfield. The thirteen Italian crew members left the field for the Malayan contingent's officers' mess in Kindu, about one and a half miles away. Shortly after their arrival, the mess was surrounded by 260 ANC troops, some 60 of whom were from Stanleyville. The Italians were arrested on charges of being spies from Katanga, beaten and removed to the Kindu prison, where they were immediately shot, their bodies dismembered, and pieces of their bodies distributed to members of a crowd which had gathered. Parts of the bodies were thrown at non-Congolese in the crowd, and part of a hand was later thrown on the table of a U.N. civilian doctor. The bodies were never recovered.

Immediately after the arrest the Malayan battalion commander entered into negotiations with Colonel Pakassa for the release of the airmen and the removal of the besieging ANC troops from the airfield. Colonel Pakassa professed to have little control over his troops and asked General Lundula from Leopoldville to come to Kindu. On November 13 General Lundula sent two ANC officers, accompanied by two U.N. officers to Kindu. Colonel Pakassa, however, refused to acknowledge the authority of the special Leopoldville mission, and on November 14 informed the U.N. officials that the Italian prisoners had escaped. That same day General Lundula and fourteen other officials flew to Kindu to join in the negotiations between Pakassa and the U.N. officials. General Lundula insisted that Pakassa meet all the U.N. demands and submit a report on the incident. On November, 15, Pakassa reported that he had no information on the "escape" of the thirteen men. ANC troops were finally withdrawn from the airfield, but no further action was taken.

Casualties: U.N. Italian contingent personnel, 13 killed; ANC, none.

22. ROUND TWO, KATANGA, DECEMBER 5 - 19, 1961

Background: The political and operational context of Round Two, the third attempt to remove prohibited foreigners from Katanga, and the first forceable attempt to establish freedom of movement in Elisabethville, is discussed in Chapter 6, pp. 117-22 and Chapter 17, pp. 363-65. Certain command and control aspects are discussed in Chapter 15, pp. 322-25.

Additional Information: Compared with Round One (Incident 20), UNF troop strength in Elisabethville during Round Two was as follows: Indian brigade group (minus)--2,370 men; Swedish infantry battalion--560 men; Irish infantry battalion--650 men; Malayan reconnaissance unit--40 men; two Ethiopian infantry battalions--1,330 men; Italian hospital unit--60 men; miscellaneous administrative personnel--20 men. When the United Nations moved to remove the Katangan roadblocks on December 5, the Force was split, with the Indian Brigade (less the Ghurka battalion) north of the city at the airport, the Swedish-Irish battalions, which were combined to form a brigade, at the Baluba refugee camp on the eastern outskirts of the city, and the U.N. Elisabethville headquarters and the Indian Dogra battalion in the northwestern sector of the city.

On December 2 Katangan roadblocks were established at three critical road junctions separating the Indian Brigade from the city and in a railroad underpass in the center of the city which prevented movement from the Baluba camp area to the U.N. headquarters. On December 5, the UNF undertook military action to reestablish freedom of movement. Fighting during the first ten days of the operation was confined to the initial clearing of the roadblocks and the underpass which involved heavy firing and aggressive action on the part of both the UNF and the Katangan forces. During this period the UNF replaced the Swedish 14th battalion with the Swedish 12th battalion, and brought in two Ethiopian battalions as reinforcements, moving in jet aircraft to harass the Katangan positions. The UNF opened a general offensive on December 15 to block Katangan escape routes to the west, and to clear and occupy the center of Elisabethville. The three-pronged offensive by the Swedish-Irish from the east, the Ethiopians from the west, and the Indians from the north was effectively completed with the capture of the main Katangan camp (Camp Massart) and the Union Minière complex by December 19, by the Swedes and the Ethiopians respectively. An Indian blocking action to prevent the escape of the estimated brigade-size Katangan force was not successful since the main strength of the Katangan gendarmerie was able to elude the United Nations. A cease-fire went into effect on December 19, marking the beginning of patrol activity by the United Nations and the continued cleaning out of small pockets of gendarmerie which involved no significant action.

Casualties: U.N., 21 killed, 84 wounded. Katangan, 206 killed, 50 civilians killed or wounded.

23. KONGOLO MASSACRE BY ANC-STANLEYVILLE TROOPS,  
DECEMBER 29, 1961-JANUARY 1, 1962

Background: During October 1961, the Gizenga regime in Stanleyville extended its control from Orientale province into Kivu. Troops of the 3rd group moved southward from Kindu (where 13 Italian airmen were murdered on November 11-14, 1961), through Kasongo into north Katanga in the direction of Kongolo. Kongolo was, by the end of December 1961, occupied by a Katangan gendarmerie force of about 1,000.

Incident: On December 29, Stanleyville ANC troops approached the outskirts of Kongolo, initially making no attempt to enter the town. They took it under mortar fire during the night of December 29-30. The Katanga gendarmerie withdrew eastward during the 30th, leaving the city under the control of tribal elements who began to fight among themselves. Several hundred people were killed and the townspeople progressively evacuated the city.

The following day small ANC groups entered the city, lost all discipline, and began to loot, kill, and rape, and by evening the city was reported to be full of corpses. In mid-afternoon ANC troops entered the local Belgian Catholic mission, molested the mission personnel (19 Belgian priests, 30 Congolese nuns, and several Dutch and other persons connected with the Kongolo mission). By evening the ANC troops had become more organized. All of the mission personnel were dragged away from the mission and taken across the city to the military camp where they were locked up. Drunkenness prevented any successful assaults on the prisoners during the night, but on the following day, January 1, the Europeans were dragged out, questioned brutally about the alleged presence of Katangans, and killed. Only one survived through the intervention of an ANC sergeant and later Colonel Pakassa who was nominally in command.

Casualties: Twenty-two European mission members killed.

24. ACTION OF ETHIOPIAN TROOPS IN STANLEYVILLE ON BEHALF OF  
LEOPOLDVILLE, JANUARY 13-16, 1962

Background: After the reconciliation between Stanleyville and Leopoldville in August 1961 Gizenga rejoined the Central Government in Leopoldville. He left Leopoldville in October 1961, on an eight-day leave of absence to Stanleyville. He remained in Stanleyville where he established a new political party and severely criticized the Leopoldville regime for its inaction against Katanga. On January 8, 1962, the Chamber of Representatives demanded that Gizenga return to Leopoldville to answer charges of secession. By that time he had created a 300-man gendarmerie which was personally loyal to him.

On January 12 a motion of censure for Gizenga's failure to return was introduced in the Chamber. That same evening his gendarmerie took

	<u>Italy</u>	Hospital unit	60
	<u>Various Nations</u>	Admin pers	40
<u>Albertville</u>	<u>India</u>	Admin units	140
	<u>Malaya</u>	Two Inf Coys	230
	<u>Ethiopia</u>	Arm car sqn	100
	<u>Various Nations</u>	Admin pers	55
<u>Manono</u>	<u>Ethiopia</u>	Inf Bn less one Coy	490
<u>Kongolo</u>	<u>Nigeria</u>	Inf Bn	675
	<u>Sierra Leone</u>	Inf Coy	120
	<u>Various Nations</u>	Admin units	60
<u>Piana</u>	<u>India</u>	Arm car det	14
	<u>Ethiopia</u>	Inf Coy	200
<u>Kamina Base</u>	<u>Sweden</u>	Inf Bn	700
		Fighter Group	50
	<u>Ghana</u>	Inf Bn	710
	<u>Congo</u>	Inf Bn	590
	<u>Various Nations</u>	Admin pers	<u>135</u>
		<u>Total</u>	<u>12,124</u>

The most significant movements in preparation for the military showdown with Katanga which took place during the middle of December 1962 were: 1) The movement of the rear echelon of the Indian Brigade headquarters to Elisabethville from Albertville to strengthen the command and control capability; 2) movement of the Malayan 7th Regiment from Bukavu to improve U.N. capabilities in northern Katanga; 3) movement of the Ethiopian 3rd Brigade and one battalion from Kindu to Elisabethville; and 4) adding important combat support units such as the Ethiopian armored personnel carriers and Indian heavy mortar battery, Indian engineers, and two battalions of Indian troops to Elisabethville. Additional troops were requested from U.N. Headquarters in New York, but most of these, like an additional infantry brigade, and an anti-aircraft unit either were not provided at all or arrived late (as did the Norwegian anti-aircraft artillery unit), and proved to be superfluous. U.N. operational planning provided for two contingencies: 1) the UNF would initiate operations when it had completed the requisite buildup, or 2) the UNF would react in the face of the initiation of hostilities by the Katangan forces. The second contingency was the plan which was actually followed, but U.N. forces were more than adequately prepared.

up positions around his residence to protect him against the ANC, which under the command of General Lundula, who was by then supporting Leopoldville, was making preparations to take Gizenga by force. During the morning of the 13th fighting broke out between the ANC and the gendarmerie. Lundula requested assistance from the local U.N. Ethiopian contingent to restore law and order.

Incident: Assistance was authorized by the U.N. Command and a total of 980 U.N. troops took part in the operation. One platoon of Ethiopians, backed by the other U.N. forces, began the process of disarming the gendarmerie, which was completed by the 16th. During the operation the UNF did not have to fire a shot. In the evening of the 16th Gizenga was informed that the Chamber of Representatives had voted the motion of censure the previous day and he asked for U.N. protection of his residence. On January 20 Gizenga was flown to Leopoldville on a U.N. aircraft at the request of the Leopoldville Government.

Casualties: U.N., none. ANC, six dead. Gendarmerie, eight dead.

25. ROUND THREE, KATANGA, DECEMBER 23, 1962-JANUARY 21, 1963

Background: The political and operation context of Round Three is discussed in Chapter 6, pp. 122-26 and Chapter 17, pp. 265-67. Command and control aspects are discussed in Chapter 15, pp. 322-25.

Additional Information: The considerable build-up of the UNF in Katanga for Round Three is evident from a comparison of the figures for strengths given for Rounds One and Two (Incidents 20 and 22) with the following troop list, which gives the average strength and composition of the Force in Katanga for the months of December 1962 and January 1963:

LOCATION OF U.N. FORCES IN KATANGA IN  
DEC 1962 - JAN 1963 (AVERAGE)

<u>Elisabethville</u>	<u>India</u>	Bde HQ	180
		Arm Car Sqn	170
		Mortar Coy	265
		Eng. Coy	280
		Signal units	230
		Three Inf Bns	2,920
		MC Coy	150
		Admin units	430
	<u>Ethiopia</u>	Bde Hq	200
		Two Inf Bns	1,370
	<u>Ireland</u>	Inf Bn	730
	<u>Tunisia</u>	Inf Bn	1,050
	<u>Pakistan</u>	Admin units	80

Appendix P-26

The operation commenced on December 28, 1962, at 4:16 p.m. Major objectives in Elisabethville were secured by the Indian and Ethiopian contingents by mid-day of the 29th. Concurrently, the Swedish and Ghanaian contingents in Kamina moved against the town of Kaminaville, securing it by December 30, when civilian facilities such as the water supply were reported to be in operational order. Air operations to support the ground action began on December 29 with attacks on ground facilities and dispersed aircraft in Kolwezi; by the end of the day six aircraft had been destroyed on the ground, one in the air,<sup>1</sup> and five POL dumps and two hangers had been fired. By the end of the following day Katangan air strength had been neutralized. Seventy-six sorties were flown between December 28 and January 4 when the primary task of U.N. aircraft was changed from the air attack mission to the maintenance of aerial surveillance. Follow-up operations to complete the pacification of Katanga, in addition to the move towards the Katanga-Rhodesian border town of Sakania, included a Swedish movement to Sandoa, a key point on the road from the Angolan border to Kamina, which was occupied by a Swedish mechanized column on January 21. The only amphibious movement was conducted by the Indonesian paratroop battalion which moved by barge from Albertville up Lake Tanganyika to Baudouinville on January 20, occupying the city peacefully. Other follow-up operations are discussed in Incident 26, "Operation Friendship."

Casualties: U.N., 10 killed and 77 wounded. Katangan forces, no accurate count is available but casualties were low.

26. "OPERATION FRIENDSHIP:" MALAYAN AND NIGERIAN U.N. TROOPS  
SECURE NORTHERN KATANGA LATE JANUARY 1963-FEBRUARY 1963

Background: Round Three was completed with the occupation of Kolwezi and the capitulation of Tshombe there on January 21, 1963. Some areas of resistance remained in northern Katanga, where pockets of Katangan gendarmerie, commanded by mercenaries, were holding out.

Incident: Clearing operation in northern Katanga were assigned to the 3rd Nigerian Brigade, which established a tactical headquarters in Kongolo, in northern Katanga, on January 18, 1963. Tactical units employed were the 2nd battalion, Royal Malayan Rifles and the 3rd Queen's Own Nigerian Rifles, both augmented by armored car detachments of the Malayan and Nigerian Armies. Nigerian units, moving from their permanent station in Luluabourg, and the Malaysians from their base in Bukavu converged in Kongolo from westerly and northerly directions respectively. This phase

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1. The destruction of a plane in the air is disputed by Major General Kaldager, then U.N. Air Commander, who maintains that all destroyed Katangan craft were destroyed on the ground. Interview, Oslo, Norway, June 5, 1965.

was completed by January 22. Joining forces, the two elements then moved eastward towards Nyunzu, clearing the areas north and south of the Kongolo-Nyunzu road. The units completed the operation and were returned to their original stations by February 8 (the Malayan contingent) and March 12 (the Nigerian contingent).

Casualties: None.

27. U.N. RESCUE MISSIONS IN KASAI, JANUARY-FEBRUARY, 1964

Background: By January 1964, the total troop strength of the UNF in the Congo had been reduced from the 1963 high of 19,800 to a total of 5,470. The major troop contingents were from the Congo itself (782 men), Ethiopia (1,718 men), Ireland (355 men), Nigeria (1,025 men), and Sweden (38 men). Katanga province had been secured, and the primary mission of the UNF was to maintain its presence and contribute what it could to keeping law and order. In January civil war, beginning with Mulele's rebellion in Kwilu, broke out again, and new attacks on Christian mission stations were made by Mulele irregulars.

Incident: Concentrated attacks on missionary stations in Kwilu province were first reported to the U.N. Command on January 23, 1964. Mission societies and the diplomatic representatives of a number of countries whose nationals were involved requested the assistance of the UNF. On January 23 the Officer-in-Charge decided to mount rescue operations using helicopters and light aircraft. An operational base was established in Tshikapa, Kasai province, and teams comprising officer personnel from the UNF headquarters, supported by members of the Canadian Signal Squadron and troops of the Nigerian 1st Battalion, were dispatched to carry out the operations. Covering fire from airborne helicopters and light aircraft was provided to hold the irregular youth bands in place while those who wished to be evacuated were picked up by helicopter. Between the period January 24 and February 4, 1964, twelve missions were flown and 106 missionaries were evacuated from thirteen stations. The UNF suffered no casualties, but four mission personnel were killed and four mission families were missing. A total of 72 UNF officers and men participated in the operations.

Casualties: U.N. personnel, none. Mulele irregulars, unreported.

REGULATIONS FOR THE UNF IN THE CONGO

Note: On July 15, 1963, Secretary-General Thant issued a memorandum to the United Nations Force in the Congo which contained 43 regulations. The memorandum, circulated as document ST/SGB/ONUC/1, follows:

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To: The United Nations Force in the Congo

Subject: REGULATIONS FOR THE UNITED NATIONS FORCE IN THE CONGO

The attached Regulations for the United Nations Force in the Congo are issued by the Secretary-General following consultation with the Advisory Committee established by the Secretary-General after his statement to the Security Council at its 887th meeting on 21 August 1960. The Regulations, for the most part, are intended to continue in effect the policies and practices which have been followed in respect of the Force since it first came into existence. The Regulations shall be deemed to have taken effect on the date of the arrival in the Congo of the first elements of the Force.

U THANT  
Secretary-General



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CHAPTER I. GENERAL PROVISIONS

1. Issuance of Regulations. The Regulations for the United Nations Force in the Congo (hereinafter referred to as the Force) are issued by the Secretary-General, following consultation with the Advisory Committee established by the Secretary-General after his statement to the Security Council at its 887th meeting on 21 August 1960 (hereinafter referred to as the Advisory Committee). They shall be deemed to have taken effect on the date of the arrival in the Congo of the first elements of the Force and may be cited as Congo (United Nations Force) Regulations. The Regulations, and supplemental instructions and orders referred to in Regulations 3 and 4, shall be made available to all units of the Force.
2. Amendments. These Regulations may be amended or revised by the Secretary-General following consultation with the Advisory Committee.
3. Supplemental instructions. Supplemental instructions consistent with the present Regulations may be issued by the Secretary-General and by the Officer-in-Charge of the United Nations Operation in the Congo (hereinafter referred to as the Officer-in-Charge), as required.
4. Command Orders. The Commander may issue Orders not inconsistent with the resolutions of the Security Council and the General Assembly relating to the Force, with these Regulations and amendments thereto, or with the supplemental instructions of the Secretary-General and of the Officer-in-Charge:
  - (a) in the discharge of his duties as Commander of the Force; or
  - (b) in implementation or explanation of these Regulations. Command Orders shall be subject to review by the Secretary-General, and by the Officer-in-Charge.
5. Definitions. The following definitions shall apply to the terms used in the present Regulations:
  - (a) The Officer-in-Charge of the United Nations Operation in the Congo or the "Officer-in-Charge" refers to the person, under whatever title he may be designated (Personal Representative, Special Representative, Officer-in-Charge), appointed by the Secretary-General to exercise, under his authority

and direction, over-all command and direction for all United Nations activities in the Republic of the Congo (Leopoldville), civil and military.

(b) The United Nations Operation in the Congo (ONUC) is the subsidiary organ of the United Nations established by authority of the Security Council resolution of 13 July 1960 and of which the United Nations Force in the Congo is an integral part.

(c) The "Commander of the United Nations Force in the Congo" or the "Commander" is the general officer appointed by the Secretary-General to exercise supreme command of the Force.

(d) The "United Nations Force in the Congo" or "Force" is part of the subsidiary organ of the United Nations referred to in Regulation 5 (b) above (ONUC) and is described in Regulation 6 below.

(e) A "member of the United Nations Force in the Congo" or a "member of the Force" is the Commander and any person belonging to the military services of a State serving under the Commander.

(f) A "Participating State" is a State providing national contingents to the Force. A "Participating Government" is the Government of a Participating State.

(g) The "authorities of a Participating State" are those authorities who are empowered by the law of that State to enforce its military or other law with respect to the members of its armed forces.

(h) The "Host State" is the Republic of the Congo (Leopoldville). The "Host Government" is the Government of the Host State.

CHAPTER II. INTERNATIONAL CHARACTER, UNIFORM, INSIGNIA,  
AND PRIVILEGES AND IMMUNITIES

6. International character. The United Nations Force in the Congo is part of the subsidiary organ of the United Nations referred to in Regulation 5 (b) above (ONUC) and consists of the Commander and all military personnel placed under his command by Member States. The members of the Force, although remaining in their national service, are, during the period of their assignment to the Force, international personnel under the authority of the United Nations and subject to the instructions of the Commander, through the chain of command. The functions of the Force are exclusively international and members of the Force shall discharge these functions and regulate their conduct with the interest of the United Nations only in view.
7. Flag. The Force is authorized to fly the United Nations flag in accordance with the United Nations Flag Code and Regulations. The United Nations Command shall display the United Nations flag and emblem on its Headquarters, posts, vehicles and otherwise as decided by the Officer-in-Charge. Other flags or pennants may be displayed only in exceptional cases and in accordance with conditions prescribed by the Officer-in-Charge.
8. Uniform and insignia. Members of the Force shall wear such uniform and distinctive insignia as the Commander, in consultation with the Secretary-General shall prescribe. Civilian dress may be worn at such times and in accordance with such conditions as may be authorized by the Commander.
9. Markings. All means of transportation of the Force, including vehicles, vessels and aircraft, and all other equipment when specifically designated by the Commander, shall bear a distinctive United Nations mark and licence.
10. Privileges and immunities. The Force, as a part of a subsidiary organ of the United Nations, enjoys the status, privileges and immunities of the Organization envisaged in Article 105 of the Charter of the United Nations and as provided inter alia in the Agreement between the United Nations and the Republic of the Congo signed on 27 November 1961. The entry without duty or restrictions of equipment and supplies of the Force, and of personal effects required by members of the Force by reason of their presence in the Host State with the Force,

shall be effected in accordance with details to be arranged with the Host State. The privileges and immunities of the United Nations shall also apply to the property, funds and assets of Participating States used in the Host State in connexion with the national contingents serving in the Force.

CHAPTER III. AUTHORITY AND COMMAND IN THE UNITED  
NATIONS FORCE IN THE CONGO

11. Command authority. The Secretary-General, under the authority of the Security Council and the General Assembly, has full command authority over the Force. The Commander is operationally responsible to the Secretary-General through the Officer-in-Charge for the performance of all functions assigned to the Force by the United Nations, and for the deployment and assignment of troops placed at the disposal of the Force.

12. Chain of command and delegation of authority. The Commander shall designate the chain of command for the Force, making use of the officers of his Headquarters staff and the commanders of the national contingents made available by Participating Governments. He may delegate his authority through the chain of command. Changes in commanders of national contingents made available by Participating Governments shall be made in consultation among the Secretary-General, the Commander and the appropriate authorities of the Participating Government concerned. The Commander may make such provisional emergency assignments as may be required. Subject to the provisions of these Regulations, the Commander has full and exclusive authority with respect to all assignments of members of his Headquarters staff and, through the chain of command, of all members of the Force, including the deployment and movement of all contingents in the Force and units thereof. Instructions from the principal organs of the United Nations shall be channelled by the Secretary-General through the Officer-in-Charge, the Commander and the chain of command designated by him.

13. Good order and discipline. The Commander shall have general responsibility for the good order and discipline of the Force. He may make investigations, conduct inquiries and require information, reports and consultations for the purpose of discharging this responsibility. Responsibility for disciplinary action in national contingents provided for the Force rests with the commanders of the national contingents. Reports concerning disciplinary action shall be communicated to the Commander who may consult with the commander of the national contingent and, if necessary, through the Secretary-General with the authorities of the Participating State concerned.



14. Investigation of incidents and losses. The Commander shall establish and ensure the effective implementation of procedures for the reporting and investigation of incidents, accidents and losses involving the Force or its members or property used by the Force, making use of the military police, as appropriate, in particular in the following cases: (a) any incident involving (i) death or serious injury to a member of the Force, or (ii) death, injury or property damage to a person or persons not belonging to the Force, wherein a member of the Force or property used by the Force is involved; (b) the occurrence or discovery of any loss of, or damage to equipment, stores or other property used by the Force, whether ONUC-owned or contingent-owned, which exceeds an amount to be determined by the Force Commander, in consultation with the Officer-in-Charge, and cannot be ascribed to normal wear and tear.

15. Military police. The Commander shall provide for military police for any camps, establishments or other premises which are occupied by the Force in the Host State and for such areas where the Force is deployed in the performance of its functions. Elsewhere military police of the Force may be employed, in so far as such employment is necessary to maintain discipline and order among members of the Force or to conduct investigations relating to the Force or its members. For the purpose of this Regulation, the military police of the Force shall have the power of arrest over members of the Force. Nothing in this Regulation is in derogation of the authority of arrest conferred upon members of a national contingent vis-à-vis one another.

CHAPTER IV. GENERAL ADMINISTRATIVE, EXECUTIVE  
AND FINANCIAL ARRANGEMENTS

16. Authority of the Secretary-General. The Secretary-General of the United Nations shall have authority for all administrative, executive and financial matters affecting the Force and shall be responsible for the negotiation and conclusion of arrangements and agreements with Governments concerning the Force. He shall make provisions for the settlement of claims arising with respect to the Force. He shall provide appropriate guidance through the Officer-in-Charge to the Commander in the exercise of the latter's duties and responsibilities as stated, inter alia, in these Regulations.

17. Operation of the Force. The Commander shall be responsible for the operation of the Force and for arrangements for the provision of facilities, supplies and auxiliary services. In the exercise of this authority he shall act in consultation with the Secretary-General through the Officer-in-Charge and in accordance with the administrative and financial principles set forth in Regulations 18-23 following.

18. United Nations Command Headquarters. The Commander shall establish the Headquarters for the Force and such other operational centres and liaison offices as may be found necessary.

19. Finance and accounting. Financial administration of the Force shall be in accordance with the Financial Regulations of the United Nations and the procedures prescribed by the Secretary-General.

20. Personnel.

(a) The Commander of the Force shall be appointed by the Secretary-General. The Officer-in-Charge and the Commander shall be entitled to diplomatic privileges, immunities and facilities.

(b) The Officer-in-Charge shall arrange with the Secretary-General for such international recruitment or detailment of staff from the United Nations Secretariat or from the specialized agencies to serve with the Force as may

be necessary. Unless otherwise specified in the terms of their contracts such personnel are staff members of the United Nations, subject to the Staff Regulations thereof and entitled to the privileges and immunities of United Nations officials as envisaged in Article 105 of the Charter of the United Nations and provided in the Agreement between the United Nations and the Republic of the Congo signed on 27 November 1961.

(c) The Officer-in-Charge may recruit such local personnel as the Force requires. The terms and conditions of employment for locally recruited personnel shall be prescribed by the Officer-in-Charge and shall generally, to the extent practicable, follow the practice prevailing in the locality. They shall not be subject to or entitled to the benefits of the Staff Regulations of the United Nations, but shall be entitled to immunity from legal process in respect of words spoken or written and all acts performed by them in their official capacity as provided in the Agreement between the United Nations and the Republic of the Congo signed on 27 November 1961. Disputes concerning the terms of employment and conditions of service of locally recruited personnel shall be settled by administrative procedure to be established by the Officer-in-Charge.

21. Administration. The Officer-in-Charge with his civilian administrative staff and the Commander shall, in accordance with procedures prescribed by the Officer-in-Charge, and in consultation with the Secretary-General, arrange for:

- (a) the bulleting and provision of food for all personnel attached to the Force;
- (b) the establishment, maintenance and operation of service institutes providing amenities for members of the Force and other personnel of ONUC as authorized by the Officer-in-Charge;
- (c) the transportation of personnel and equipment;
- (d) the procurement, storage and issuance of supplies and equipment required by the Force;
- (e) maintenance and other services required for the operation of the Force;

(f) the establishment, operation and maintenance of telecommunication and postal service for the Force;

(g) the provision of medical, dental and sanitary services for all personnel in the Force.

22. Contracts. The Officer-in-Charge may, where necessary, delegate to the Commander authority to enter into contracts and make commitments for the purpose of carrying out the latter's functions under these Regulations.

23. Public information. Public information activities of the Force and relations of the Force with the Press and other information media shall be the responsibility of the Officer-in-Charge acting in consultation with the Commander and in accordance with policy defined by the Secretary-General.

## CHAPTER V. RIGHTS AND DUTIES OF MEMBERS OF THE FORCE

24. Respect for local law and conduct befitting international status. It is the duty of members of the Force to respect the laws and regulations of the Host State and to refrain from any activity of a political character in the Host State or other action incompatible with the international nature of their duties. They shall conduct themselves at all times in a manner befitting their status as members of the United Nations Force in the Congo.
25. United Nations legal protection. Members of the Force are entitled to the legal protection of the United Nations and shall be regarded as agents of the United Nations for the purpose of such protection.
26. Instructions. In the performance of their duties the members of the Force shall receive their instructions only from the Commander and the chain of command designated by him.
27. Discretion and non-communication of information. Members of the Force shall exercise the utmost discretion in regard to all matters relating to their duties and functions. They shall not communicate to any person any information known to them by reason of their position with the Force which has not been made public, except in the course of their duties or by authorization of the Commander who shall act in consultation with the Officer-in-Charge in appropriate cases. The obligations of this Regulation do not cease upon the termination of their assignment with the Force.
28. Honours and remuneration from external sources. No member of the Force may accept any honour, decoration, favour, gift or remuneration incompatible with the individual's status and functions as a member of the Force.
29. Jurisdiction
- (a) Members of the Force shall be subject to the criminal jurisdiction of their respective national States in accordance with the laws and regulations of those States. They shall not be subject to the criminal jurisdiction of the courts of the Host State. Responsibility for the exercise of criminal jurisdiction shall rest with the authorities of the State concerned, including as appropriate the commanders of the national contingents.

(b) Members of the Force shall not be subject to the civil jurisdiction of the courts of the Host State or to other legal process in any matter relating to their official duties, and shall not otherwise be subject to such jurisdiction except as may be agreed between the United Nations and the Host Government.

(c) Members of the Force shall remain subject to the military rules and regulations of their respective national States without derogating from their responsibilities as members of the Force as defined in these Regulations and any rules made pursuant thereto.

(d) Disputes involving the Force and its members shall be settled in accordance with such procedures provided by the Secretary-General as may be required, including the establishment of a claims commission or commissions or such arbitral procedures as may be agreed between the United Nations and the Host Government. Supplemental instructions defining the jurisdiction of such commissions or other bodies as may be established shall be issued by the Secretary-General in accordance with article 3 of these Regulations.

30. Customs duties and foreign exchange regulations. Members of the Force shall comply with such arrangements regarding customs and foreign exchange regulations as may be made between the Host State and the United Nations.

31. Identity cards. The Commander, under the authority of the Secretary-General shall provide for the issuance and use of personal identity cards certifying that the bearer is a member of the United Nations Force in the Congo. Members of the Force may be required to present, but not to surrender, their identity cards upon demand of an appropriate authority of the State in which the Force operates.

32. Driving. In driving vehicles members of the Force shall exercise the utmost care at all times. Orders concerning driving of service vehicles and permits or licences for such operation shall be issued by the Commander.

33. Pay. Responsibility for pay of members of the Force shall rest with their respective national State. They shall be paid in the field in accordance with arrangements to be made between the appropriate pay officer of their respective national State and the Commander.

34. Overseas service allowance. The Secretary-General shall fix a scale for a daily overseas service allowance to be paid by the United Nations in the appropriate currency to those members of the Force determined to be eligible for such allowance. Eligibility and entitlement shall be decided by the Commander in accordance with conditions prescribed in orders issued by him in accordance with article 4 of these Regulations.

35. Personal effects. The Officer-in-Charge may with the approval of the Secretary-General establish terms and conditions for the payment of reasonable compensation to members of the Force in the event of loss or damage to their personal effects, other than governmental issues, determined to be directly attributable to the performance of official duties on behalf of the United Nations.

36. Dependants. Members of the Force may not be accompanied to their duty station by members of their families except where expressly authorized and in accordance with conditions prescribed by the Secretary-General in consultation with the Commander.

37. Leave. The Commander shall specify conditions for the granting of passes and leave.

38. Promotion. Promotions in rank for members of the Force remain the responsibility of the Participating Governments.

CHAPTER VI. RELATIONS BETWEEN THE PARTICIPATING GOVERNMENTS AND THE UNITED NATIONS

39. Channel for communications. The channel for communications between the United Nations and the Participating Governments concerning their units in the Force, or the Force itself, shall be United Nations Headquarters in New York, through their Permanent Missions to the Organization.

40. Visits to the Force. Visits to the Force by officials of the Participating Governments shall be arranged with the Commander through United Nations Headquarters in New York.

41. Service-incurred death, injury or illness. In the event of death, injury or illness of a member of the Force attributable to service with the Force, the respective State from whose military services the member has come will be responsible for such benefits or compensation awards as may be payable under the laws and regulations applicable to service in the armed forces of that State. The Government of the State concerned may in appropriate cases and in accordance with the principle stated in Regulation 42 claim reimbursement from the United Nations for any sums paid by it as indemnities or compensation awards under the provisions of this Regulation. The Commander shall have responsibility for arrangements concerning the body and personal property of a deceased member of the Force.

42. Extra and Extraordinary Costs. Participating States may be compensated for all or part of the extra and extraordinary costs directly incurred with respect to the service of their contingents with the Force, in accordance with decisions of the General Assembly. The Secretary-General, through the Officer-in-Charge and the Commander, shall make necessary arrangements for records and verifications with respect to such costs and for the offset against Participating Governments of losses occasioned to the United Nations by recklessness or gross negligence of members of the Force contributed by them.

CHAPTER VII. APPLICABILITY OF INTERNATIONAL CONVENTIONS

43. Observance of Conventions. The Force shall observe the principles and spirit of the general international Conventions applicable to the conduct of military personnel.



MESSAGE FROM SECRETARY-GENERAL ON ORDINANCE NO. 70

Note: This cable from Mr. Hammarskjold to Mr. Khiary, the Chief of U.N. Civilian Operations in the Congo, was sent on August 23, 1961. It suggests that Ordinance No. 70 of the Leopoldville Government was adopted at the request of Hammarskjold. The Egge Reports, prepared by Lt. Colonel Bjørn Egge, a Norwegian serving as an intelligence officer in the U.N. Force, deals with the problem of providing reliable officers for the Katangan gendarmerie to replace the mercenaries.

We have studied with care the text of your telegrams 1981-82 and think that the letter that Adoula sent or directed to you represents an important first step which concerns the Katanga problem. I am nevertheless of the opinion that the first step must be followed, in the quickest and most energetic way, by other acts in the name of the Central Government. We must at all costs avoid pursuing long discussions, either with the Katangese authorities or with the Belgian authorities.

It seems to me, then, that the Adoula Government should immediately issue an order, the terms of which should declare as "undesirable" all the non-Congolese officers and mercenaries serving in the Katangese forces who have not accepted a contract obligation with the Central Government and demand that they leave the Congolese territory without delay. The Government should then inform us of this order in a new letter which refers to the last letter. (Emphasis is added.)

In this new letter, the government should add that, the persons in question have been placed under the threat of an expulsion order, and it asks us for assistance to assure the execution of this order conforming to paragraph A-2 [of the February 21, 1961 resolution] and taking into account security factors.

The forces of ONU to Katanga should have thus been led to act against the non-Congolese officers of the gendarmerie, not only by virtue of the paragraph A-2 but also in execution of the Central Government's orders. Then we could pay attention to, in the first place, the expulsion of those Belgian officers whose positions are enumerated in the Third Egge Report. If the Government would see the possibility of formally issuing an order of this nature, O'Brien and his collaborateurs could take immediate measures to take care that the report is fully executed.

It goes without saying that if the Government would take such measures, it would re-enforce its position not only with regard to Katanga, but also with regard to the so-called Stanleyville group. I hope to receive here tomorrow a second letter from Adoula, of the sort that precious time will not be lost in vain.

By right of preliminary measures, I will enter a report with the Belgian delegation here to make known to them that a good many weeks have passed since the time when the Egge Report has been presented to them without them having made known any reaction. I will give notice that the question becomes more urgent from now on than it has ever been in the past and that I intend to furnish all assistance possible to the Central Government in solving the Katanga problem. With regard to the Belgian Government, I hope that it will order the withdrawal of its jurisdictions, enumerated in the Egge Report, in a way to not find itself in a new and embarrassing political situation.

U. N. ACTION ON BELGIAN CLAIMS

Note: The following letter from Secretary-General Thant was sent to the Permanent Representative of the U.S.S.R., who earlier had raised some questions about the settlement between Thant and the Belgian Government on behalf of Belgian nationals for damages they had sustained at the hands of U.N. personnel in the Congo. The letter was distributed as Document S/597 on August 6, 1965.

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I have the honour to acknowledge receipt of your letter of 2 August 1965 concerning the question of the settlement by the United Nations Secretariat of claims by Belgian citizens for damages to persons and property in the Congo caused by United Nations personnel.

The arrangement to which your letter refers was brought about in the following circumstances. In the course of the United Nations activities in the Congo, the Secretariat received a number of claims from Belgian citizens as well as from individuals of various other nationalities alleging that they had suffered injury or damage to property by acts of United Nations personnel which gave rise to liability on the part of the Organization.

It has always been the policy of the United Nations, acting through the Secretary-General, to compensate individuals who have suffered damages for which the Organization was legally liable. This policy is in keeping with generally recognized legal principles and with the Convention on Privileges and Immunities of the United Nations. In addition, in regard to the United Nations activities in the Congo, it is reinforced by the principles set forth in the international conventions concerning the protection of the life and property of civilian population during hostilities as well as by considerations of equity and humanity which the United Nations cannot ignore.

Accordingly, the claims submitted were investigated by the competent services of ONUC and at United Nations Headquarters in order to collect all of the data relevant to determining the responsibility of the Organization. Claims of damage which were found to be solely due to military operations or military necessity were excluded. Also expressly excluded were claims for damage found to have been caused by persons other than United Nations personnel.

On this basis, all individual claims submitted by Belgian nationals, as well as those submitted by nationals of other countries, were carefully scrutinized and a list of cases was established by the Secretariat with regard to which it was concluded that compensation should be paid. Of approximately 1,400 claims submitted by Belgian nationals, the United Nations accepted 581 as entitled to compensation.

As regards the role of the Belgian Government, it was considered that there was an advantage for the Organization both on practical and legal grounds that payment to the Belgian claimants whose claim has been examined by the United Nations should be effected through the intermediary of their Government. This procedure obviously avoided the costly and protracted proceedings that might have been necessary to deal with the 1,400 cases submitted and to settle those in which United Nations responsibility was found.

Following consultations, the Belgian Government agreed to act as an intermediary and also agreed that the payment of a lump sum amounting to \$1.5 million would constitute a final and definite settlement of the matter. At the same time, a number of financial questions which were outstanding between the United Nations and Belgium were settled. Payment was effected by offsetting the amount of \$1.5 million against unpaid ONUC assessments amounting approximately to \$3.2 million.

Similar arrangements are being discussed with the Governments of other countries, the nationals of which have similarly suffered damage giving rise to United Nations liability. About 300 unsettled claims fall within this category.

In making these arrangements, the Secretary-General has acted in his capacity of chief administrative officer of the Organization, consistently with the established practice of the United Nations under which claims addressed to the Organization by private individuals are considered and settled under the authority of the Secretary-General.

As requested by you, I have arranged for your letter to be circulated as an official Security Council document (S/6589). I am also communicating to the Security Council the text of this reply together with the relevant letters exchanged with the Belgian Government.

## Appendix T

### SECRETARY-GENERAL'S LETTER TO AFRICAN STATES ON NEED FOR TROOPS

Note: On February 24, 1961, Mr. Hammarskjöld wrote a letter to "certain African states" on the "need for troops and the functions of the Force" in view of the "new demands" envisioned in the February 21 resolution. This letter was circulated as Annex VII of his report on the new Security Council resolution, Document S/4752, U.N., SCOR, Sixteenth Year, Supplement for January, February, March, 1961, (February 21, 1961), pp. 187-189.

(With variations for individual countries)

I know your deep concern for the effectiveness of the United Nations operations in the Congo and for the attainment of the United Nations objectives of peace and stability in that country. I wish, therefore, to bring directly to your attention certain considerations affecting the United Nations Force in the Congo which assume a new significance in the light of recent developments.

At present the Force commands a strength of approximately 17,500 all ranks, comprising 20 battalions. That strength is threatened with an early reduction to some 14,500 officers and men, or about 15 battalions, if the decisions of the Governments of Indonesia and Morocco to repatriate their troops without replacement are implemented.

In view of the new demands on the Force envisaged in the resolution adopted without negative vote by the Security Council on 21 February 1961, the reduction of the strength of the Force at this time would be paradoxical and most inopportune. Operative paragraph 1 of Part A of that resolution "Urges that the United Nations take immediately all appropriate measures to prevent the occurrence of civil war in the Congo, including arrangements for cease-firing, the halting of all military operations, the prevention of clashes, and the use of force, if necessary, in the last resort". In all such measures, the presence of a strong United Nations Force is indispensable. Thus, the United Nations Force must continue to have a sufficient number of troops deployed to prevent armed conflict and to protect life and property. The threats, now increasing, of civil war must be met; the withdrawal and evacuation of all Belgian and other foreign military, paramilitary personnel and mercenaries in the Congo will have to be arranged; the ingress of further military personnel and material to the Congo has to be checked upon and stopped. All this requires more troops.

In order to meet the needs created by the new resolution, the military command of the Force perceives a required strength for it numbering about 23,000 or 25 battalions.

You will agree, I am sure, that the countries of Africa should be looked to principally for the new components needed by the Force. Thus, I trust that it will be possible for your Government to respond favourably to this new appeal for troops to serve in the Congo,

[and to provide at an early date a contingent of your troops of not less than a battalion in strength. (*All African States except Ethiopia, Ghana, Liberia, Morocco, Nigeria, Sudan and Tunisia*)]

[and to provide an addition to your contingent of a battalion or more. (*Ethiopia, Ghana, Liberia, Nigeria, Sudan and Tunisia*)]

[and to permit the Moroccan contingent to remain in the Congo and if possible to reinforce it; but as the minimum, to defer for some time its repatriation. (*Morocco*)]

Permit me, in this context, to add a few thoughts about the function of the Force. Previous contributions of troops to the United Nations Force have been based on the Security Council resolutions of 14 and 22 July 1960, the latter one supplemented by explanations regarding the character and mandate of the Force contained in my report to the Security Council of 18 July 1960,<sup>24</sup> which was commended by the Council in the resolution of 22 July 1960, and thus—together with later stands taken by the Security Council and the General Assembly—represents an authoritative interpretation of the position of the United Nations. New contributions in troops obviously have the same basis, but must also take into account the resolution of 21 February, which, without any change of the United Nations mandate, widens its scope and application. I draw attention especially to the reference to the use of force for prevention of civil war, "as an ultimate resort". Regarding the interpretation of this last mentioned clause, I have to refer to the debate that took place in the Council.

However, I may here draw attention to the attitude of some Governments of African States, contributing considerable elements to the Force. Three Governments in that position have made it clear that they cannot permit their units to become parties to an armed conflict in the Congo.

[As you have said in a message to me: "The United Nations Forces in the Congo must not be found third party to any dispute which might arise" (*Ethiopia*.)]

[From a statement of Mr. Ades, I understand that you share this view. (*Sudan*.)]

[As you have said in a message to me: "In any case the Tunisian Government has no intention of engaging one or other of the parties concerned." (*Tunisia*.)]

Without intending this to be an interpretation of the relevant clause in the resolution and with a view only to assisting in the clarification of the assumptions on which Governments base their contribution, I would like to make the following observations on the positions to which I have just referred.

The latest resolution, adopted by the Security Council, does not seem to me to derogate from the position that United Nations troops should not become parties to armed conflict in the Congo. The basic intention of the resolution is, in my opinion, the taking of all appropriate measures for the purposes mentioned, resort being had to force only when all other efforts such as negotiation, persuasion or conciliation were to fail. If, following such efforts—or measures taken in support of their result—United Nations troops engaged in defensive action, when attacked while holding positions occupied to prevent a civil war risk, this would not, in my opinion, mean that they became a party to a conflict; while the possibility of becoming such a party would be open, were troops to take the initiative in an armed attack on an organized army group in the Congo.

If the position taken by the Governments referred to above, as I believe, does not derogate from the stand taken by the Security Council in the resolution, and if those Governments agree with the distinction just made, this distinction would obviously have to be observed in any instructions that have to be given to the troops by the United Nations Command.

[As you have yourself raised this question, I would appreciate your guidance in the form of comments on the observations just made. (*Ethiopia, Sudan and Tunisia.*)]

That I address you on this general subject and to this length is a measure of the gravity of the situation and the urgency of the United Nations need. I would appreciate a reply at your earliest convenience.

(Signed) Dag HAMMARSKJÖLD  
Secretary-General of the United Nations

PRESIDENT KASAVUBU'S TELEGRAM ON THE FEBRUARY 21, 1961, RESOLUTION

Note: The fear of Leopoldville's leaders that the UNF would undertake actions that would infringe on Congolese sovereignty under the authority of the February 21, 1961, Security Council resolution, was expressed in a telegram signed by President Kasavubu and Prime Minister Ileo, dated February 22, 1961. This wire was circulated as U.N., Document S/4743, SCOR, Sixteenth Year, Supplement for January, February, March, 1961, (February 22, 1961), pp. 150-152.

The Government of the Republic of the Congo, at an ordinary session of the Council of Ministers held on Tuesday, 21 February 1961, took note of and examined the provisions of the resolution on the Congo which the Security Council adopted on that date [S/4741].

1. The Government of the Republic of the Congo notes that the Security Council failed to take into account the proposals recently put forward by the Conciliation Commission for the solution of the Congolese crisis.

The formation of the Government of National Unity, which enjoys the support of the Congolese people, excludes all possibility of civil war. The use of force and any form of coercion by the United Nations would be contrary both to the spirit and the letter of the Charter. Instead of providing for military measures, the Security Council should have given its support to the negotiations which have been instituted with a view to enlarging the provisional Congolese Government. These negotiations have virtually been crowned with success

thanks to the united and exclusive efforts of the parties concerned, who have thereby proved their determination to settle their country's problems by themselves.

2. It is not for the United Nations to require a State to follow one particular procedure with regard to the employment of foreign technicians. The Charter contains no provision authorizing the United Nations to interfere in matters within the domestic jurisdiction of any State. The Congo intends to recruit the technicians it requires wherever it thinks fit.

3. The Security Council may not conduct any investigation in the territory of the Republic except with the preliminary agreement of the Government of the Republic. We condemn the barbarous acts which have been committed in the territory of the Republic. It is in no way the intention of the competent authorities to condone crimes. Those responsible will be tried and duly punished, but such action can properly be taken only by the competent Congolese courts.

Furthermore, it would have been preferable for the Security Council to have adopted a decision in the matter which would have been applicable to all victims throughout Congolese territory without any distinction whatever.

4. A decision to convene the Parliament will be taken by the Congolese themselves, and no foreign State or international agency may interfere with a view to supplanting them. One of the main tasks with which the Government of National Unity is concerned is to ensure that the Parliament and all the country's institutions are in a position to function.

5. It is for the Government of the Congo, if it deems it appropriate, to seek the assistance of the United Nations in reorganizing and bringing under control armed units over which the High Command of the Armée nationale congolaise does not at present exercise authority; the latter indeed expressed a desire for such a step at the appropriate time. It is not within the competence of the Security Council to impose any solutions which run counter to the will of the Government of the Republic of the Congo in the matter of reorganization, or of the employment of instructors or of the supply of any military matériel which that Government may require, because even the General Assembly resolution 1474 (ES-IV) of 20 September 1960, in its operative paragraph 6, safeguarded "the sovereign rights of the Republic of the Congo".

Considering the resolution adopted by the Security Council on 21 February 1961 and having regard to the foregoing, the Government of the Republic of the Congo energetically protests to all free and sovereign peoples which are States Members of the United Nations against the infringement of the sovereignty of the Republic of the Congo by the United Nations;

Emphasizes that the Congolese people will never permit the implementation or attempted implementation of the provisions of this resolution;

Reaffirms the determination of the Congolese people to defend its sovereignty by all the means at its disposal;

Appeals to the whole Congolese people in their regional diversity and with their sense of common Congolese nationality to stand ready at all times to carry out any measures for the defence of Congolese sovereignty which may be decreed by the Government of the Republic of the Congo;

Notes that the resolution of 21 February 1961 provides for no effective measures against any repetition of foreign interference;

Regrets that the resolution of 21 February 1961 does not reaffirm the fundamental principles of the United Nations Charter which provide for preliminary consultation with the Member State concerned;

Expresses grave concern regarding the possible interpretation of the terms of this resolution which, owing to its lack of precision, appears to disregard our sovereignty and in effect gives the United Nations executive organs in the Congo *carte blanche* to place the Congo under a system of trusteeship;

Recalls that the United Nations is in the Congo at the request of the Congolese authorities;

Adheres to the provisions of the Security Council resolutions of 14 and 22 July 1960 and 9 August 1960 and the General Assembly resolution of 20 September 1960, which clearly stated and reaffirmed the principle of consultation with the Government of the Republic by the United Nations authorities;

Appeals to all United Nations organs and officials to comply strictly with the spirit and the letter of the aforesaid resolutions and to respect the national sovereignty of the Congo by making both civil and military operations contingent upon consultation and co-operation with the Central Government of the Republic of the Congo;

Expresses its readiness to oppose, by every means in its power, any undertaking or action violating the national sovereignty, whether carried out by the United Nations or any other Power;

Nevertheless offers the United Nations and the Secretary-General its sincere and loyal co-operation, to the extent that the principles of consultation and co-operation are respected, this being, in any event, a *sine qua non* for the success of the United Nations operation in the Congo.

(Signed) Joseph KASA-VUNU  
President of the Republic of the Congo  
(Leopoldville)

For the Council of Ministers:  
(Signed) Joseph ILÉO  
Prime Minister



PRESIDENT KASAVUBU'S LETTER ON THE REORGANIZATION OF THE ANC

Note: In a letter, dated March 6, 1961, signed by President Kasavubu and Foreign Minister Bomboko, the Leopoldville Government gives its views on the problem of reorganizing the Congolese Army. It notes the anxiety caused by the talk of "responsible United Nations officials, of 'disarming' the Army." The letter was circulated as U.N. Document S/4752, Add. 3, Sixteenth Year, Supplement for January, February, March, 1961, (March 6, 1961), pp. 199-201.

In pursuance of the resolution adopted by the Security Council on 21 February, you sent me two letters, dated 27 February [S/4752, annex IV] and 2 March [S/4752/Add. 1, sect. II] to which I have given my fullest attention.

It will not be possible for me to reply to all the points which you make in these letters. The main object of our concern at the present time is the conference of Congolese leaders at Tananarive, which represents an extremely important effort to find a solution to the problems which are dividing the country. This conference, the idea of which was suggested by the United Nations Conciliation Commission for the Congo, will cause me to be absent from Leopoldville for several days, since I shall spare no effort to restore peace in the Congo by means of conciliation.

In this letter, I wish to deal only with the problem of reorganizing the Army and, with a view to putting an end to the present difficult situation, to propose a few principles which, after discussion with your representatives, might provide a basis for agreement on reorganization of the units of the Armée nationale congolaise.

In the present circumstances, such a reorganization constitutes the most important problem after that of maintaining the country's unity, and it is a problem whose solution calls for exceptional care and skill. Indeed, the talk, by responsible United Nations officials, of "disarming" the Army was enough to induce in the latter, whose discipline was still very weak, such animosity that there have been increasing acts of hostility towards units of the United Nations Force, civilians and everything connected in any way with United Nations services. These have taken place despite the explicit orders of the Congolese authorities and despite all the efforts made to calm prevailing passions. To complete the picture I may add that the arrival of a strong force of Lumumbist soldiers at Luluabourg, at a time when the United Nations leaders were intensifying their efforts to persuade the heads of the Armée nationale to refrain from any offensive action, outraged Congolese public opinion and that we are at present passing through a period of such tension and nervousness that any incident whatever can have the gravest consequences. Yesterday it was Moanda, Matadi and Boma; tomorrow, it may be anywhere in Equator province. A serious outbreak may occur at any time.

This is the situation that prevails as you request me to take urgent measures to implement the Security Council resolutions. It is impossible to consider such measures in the over-simplified and completely Utopian form of simply ejecting the Belgian military personnel.

As far as the troops under General Mobutu's command are concerned, they have a total of fourteen Belgian officers.

I am well aware that your representative at Leopoldville speaks of a hundred or so officers, but that is yet another case in which he is giving you incorrect information. Our figures can be verified and we shall be very glad to provide the United Nations Command with all the necessary information to substantiate them. Thus, the departure of these fourteen officers will solve absolutely nothing, as any sensible person will concede. On the contrary, if their departure is not accompanied by measures to bring the Army once more under control and discipline, it is likely to be a further source of disturbance and apprehension in the Army. As Supreme Commander, I cannot expose the country to that risk.

What, then, are the reorganization measures that should be considered and what action should be taken to ensure that they are applied smoothly and without misunderstandings which might end in tragedy?

The Government considers that such measures should be based on those proposed by the Conciliation Commission in its provisional report.<sup>20</sup> In that connexion it puts forward the following five proposals, which, in its opinion, can provide the basis for a sound solution of the problem:

1. The Armée nationale shall remain under the command of the President of the Republic, who, by virtue of his office, is the person best able to insulate it from all politics and to give it the assurance that reorganization will not have the effect of depriving the country of the Army, which is vital to its sovereignty. This is a basic condition; it alone can ensure that the announcement of a reorganization of the Army will not result in flights into the bush and the prospect of prolonged guerrilla warfare.

<sup>20</sup> Official Records of the General Assembly, Fifteenth Session, Annexes, agenda item 85, document A/4696.



2. The reorganization must embrace the entire country, including Oriental province, Kivu, South Kasai and Katanga. The Government is prepared to initiate the operation at once in the units under General Mobutu's command, without necessarily waiting for it to be launched simultaneously in the other units. However, this is subject to the condition that a satisfactory agreement is reached on the matter with the military and, furthermore, that it is well understood that, should it prove impossible to reorganize these dissident troops, the operation may be suspended forthwith in the loyal units.

3. A National Defence Council shall be set up by the President of the Republic and shall be under his authority. It shall include Congolese military leaders and representatives of the United Nations Force, and its President could be a high-ranking neutral officer responsible solely to the President of the Republic. The Council shall be instructed to draw up a detailed programme for the training and reorganization of the Armée nationale congolaise. It shall make any proposals necessary for the successful accomplishment of its mission and it shall be supported both by the Congolese authorities and by the United Nations Force in putting its programme into effect.

4. A plan of work may be proposed, but it is likely to be based on such inadequately studied data that it would not be practicable. In any event, the Government would have no objection to the operation being initiated as soon as agreement can be reached on the above proposals.

5. It is understood that the Congolese Government retains the right to accept or to refuse the technicians who will be proposed by the National Council of Defence and recruited through United Nations channels. The Congolese Government intends strictly to safeguard the neutrality of the Army and it will be unable to allow officers or non-commissioned officers who are responsible for the control and training of the Army to take advantage of their position in order to bring subversive influences or influences that run counter to the national interest to bear upon it.

The Congolese Government is convinced that only an operation conducted under the above-mentioned conditions can have any chance of success. It fervently hopes that the Security Council will understand the full need to act according to the directives proposed in this letter, which have one sole objective: to restore peace in the Congo, in respect for the constitutional authorities of the country and without derogating from the national sovereignty.

I venture to believe, Sir, that you will use all your influence to ensure that an agreement may be reached shortly which will put an end to this difficult period we are experiencing and which will eliminate all the painful incidents which we, like you, find reprehensible and whose repetition we wish at all costs to prevent.

(Signed) Joseph KASA-VUBU  
*President of the Republic of the Congo*  
(Leopoldville)

(Signed) Justin BOMBOKO  
*Minister for Foreign Affairs and for External Trade*

AGREEMENT BETWEEN PRESIDENT KASAVUBU AND THE SECRETARY-GENERAL

Note: The February 21, 1961, Security Council resolution produced considerable anxiety among the leaders of the Leopoldville Government. Discussions between these leaders and U.N. authorities eventually resulted in the April 17, 1961, agreement between President Kasavubu and the Secretary-General which was circulated as U.N. Document S/4907, Annex I, SCOR, Sixteenth Year, Supplement for April, May, June, 1961, (April 17, 1961), pp. 46-47.

*Agreement on general principles between the President of the Republic of the Congo (Leopoldville) and the Secretary-General of the United Nations*

As a Member of the United Nations, the Republic of the Congo (Leopoldville), whose sovereignty should not be in doubt, is under an obligation to respect the Charter of the Organization and to carry out the resolution of the Security Council.

The Republic of the Congo accepts the resolution S/4741 of 21 February 1961, taking into account:

(1) That the United Nations reaffirms its respect for the sovereignty of the Republic of the Congo in the implementation of the resolution;

(2) That the aim of the resolution of 21 February, part A, paragraph 2, and part B, paragraph 2, is to eliminate all deleterious foreign influence. To this effect the President of the Republic of the Congo will receive all possible assistance of the United Nations;

(3) That the United Nations is to assist the President of the Republic so that all foreign personnel, whether civilian, military or paramilitary and all mercenaries and political advisers who have not been recruited or recalled under the authority of the President, be repatriated from the Congo within the shortest possible period of time. To implement the above and taking into account the recognition of the sovereign rights of the Republic and the constitutional powers which he holds, the President of the Republic will re-examine the appointments of foreign civilian, military and paramilitary personnel made under his authority and will take the necessary decisions compatible with the interests of the Republic of the Congo;

(4) That the United Nations is to give to the President of the Republic all possible assistance in:

(a) Recruiting the technicians needed by the Republic of the

Congo, without however having a monopoly of such recruitments;

(b) Training the administrative and technical cadres by granting fellowships and establishing specialized institutes.

The Republic of the Congo recognizes the need to reorganize the national army, it being understood that this reorganization is to be carried out under the authority of the President of the Republic, with United Nations assistance and on the basis of the proposals made by the Chief of State in his letter of 5 March 1961 to the Secretary-General of the United Nations.

The detailed application of the basic agreement outlined above shall be subject, in each case, to a careful study on the part of the Government of the Republic of the Congo and the United Nations.

Leopoldville, 17 April 1961

[For the United Nations]

[For the Republic of the Congo  
(Leopoldville)]

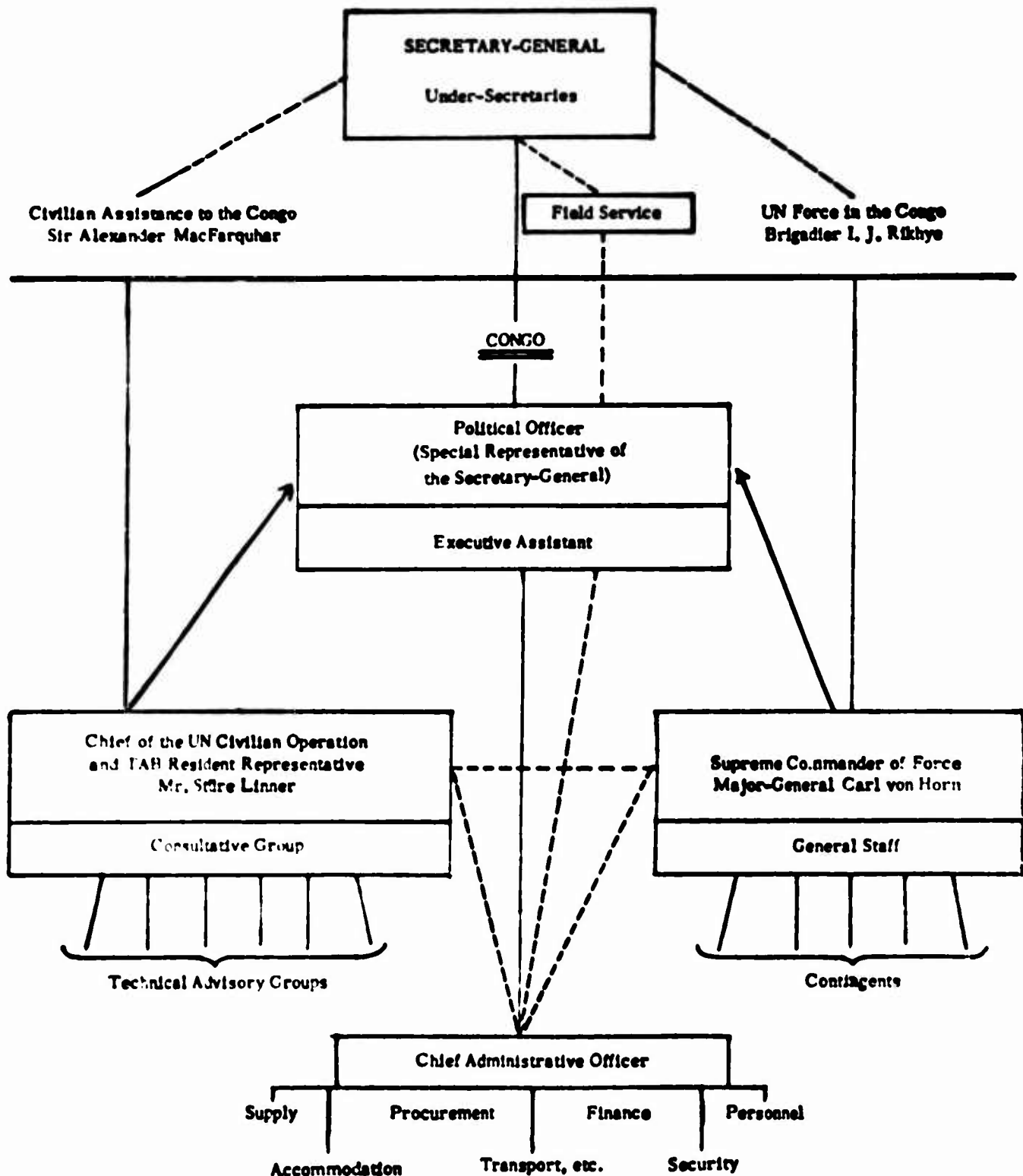
(Signed) F. C. Nwogwu  
R. GANDON

(Signed) J. KASA-VUBU  
J. BOUMBA

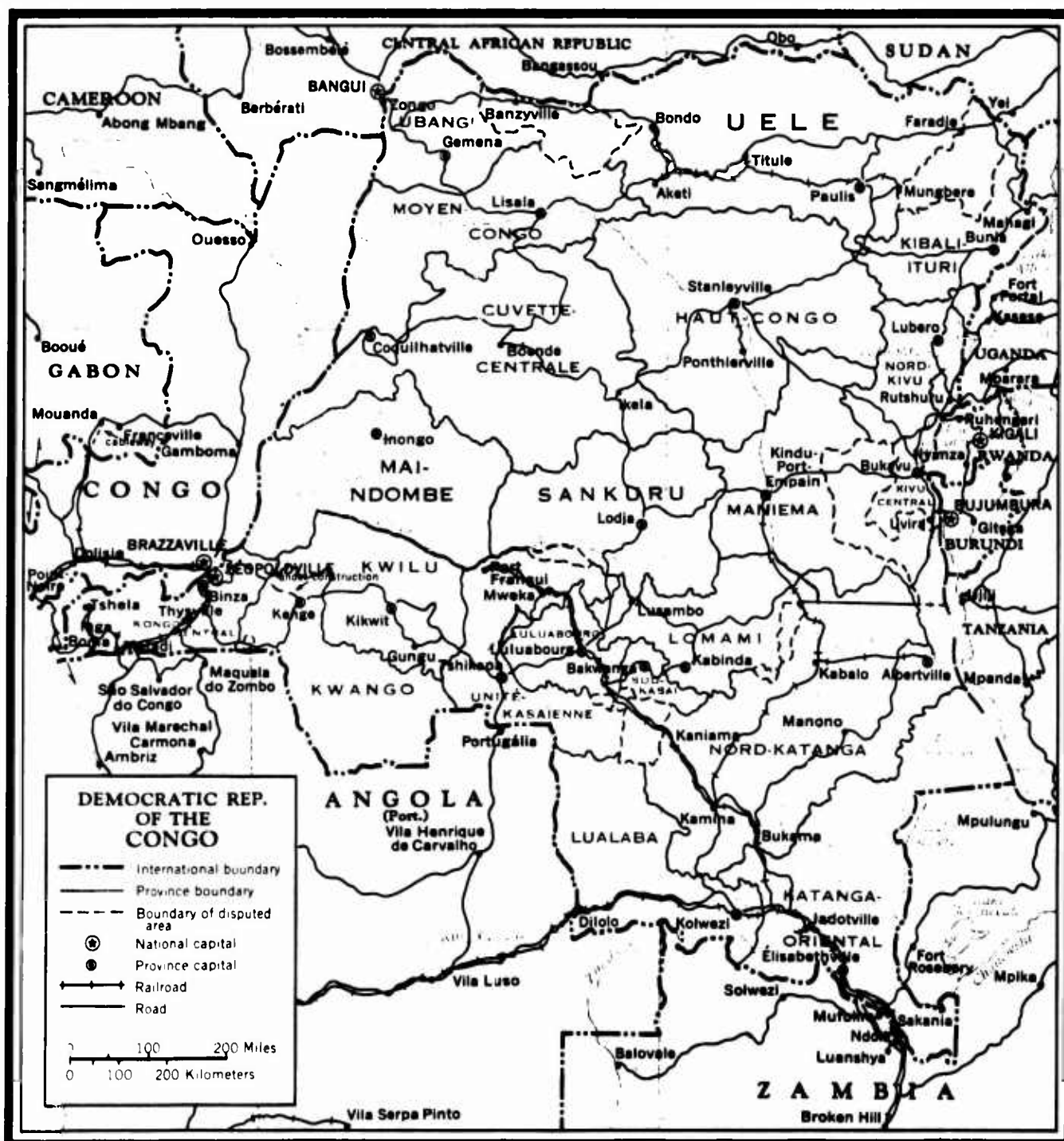
## REMARKS ON THE 1974-1975 WINDY OPERATION

\_\_\_\_\_: The original document was included with the Secretary-General's report on the situation in the region and was circulated as U.N. Document \_\_\_\_\_, \_\_\_\_\_, 1957, Ann. 1, Supplement for July, August, September, (Annex 1, 1, 2), p. 1. The solid lines running from the top of the page to the signature of Mr. MacFarquhar probably indicate that the document implicitly imply a command relationship.

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VOLUNTARY CONTRIBUTIONS TO THE CONGO OPERATION

Note: The following data were compiled from U.N. financial reports. All twelve governments which made voluntary contributions, in addition to the United States, were Western oriented and all but Austria, Ireland, Sweden, and Finland were allied militarily with Washington. The data cover December 1964.

United States Contributions: 1960-1964

1960 . . . . .	\$ 3,900,000
1961 . . . . .	15,305,596
1962 . . . . .	11,400,800
1963 . . . . .	1,768,479
1964 . . . . .	<u>704,111</u>

Total	\$33,078,986
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All Contributions: 1960-1964 (Only the U.S. contributed before 1963.)

	<u>1963</u>	<u>1964</u>	<u>Total</u>
1. Australia	\$ 92,000	\$ 36,500	\$ 128,500
2. Austria	25,000	9,900	34,900
3. Denmark	37,000	13,286	50,286
4. Canada	173,000	90,000	263,000 *
5. Ireland	5,053	2,947	8,000
6. Japan	81,927	33,425	115,352
7. Netherlands	57,000	22,694	79,694
8. New Zealand	22,916	9,002	31,918
9. Norway	28,000	10,000	38,000
10. Sweden	75,000	37,500	112,500
11. Finland	18,635	8,244	26,879
12. United Kingdom	410,000	175,000	585,000 *
13. United States	<u>1,768,479</u>	<u>704,111</u>	<u>33,078,986 * #</u>
Total	\$2,794,010	\$1,152,609	\$34,553,015

\* Indicates countries providing initial airlift services amounting in total to \$11,487,622 including the United States, \$10,317,662; Canada, \$650,000; and the United Kingdom, \$520,000. These amounts were in addition to the total authorized for initial period.

# The total U.S. voluntary contribution, including the initial airlift of troops in 1960, which cost \$10,317,662, was \$43,396,648.

UNPAID OBLIGATIONS FOR THE CONGO OPERATION AS OF JUNE 30, 1965

Note: The following data were compiled from U.N. financial reports. The figures are thousands of dollars.

	<u>COSTS</u>		<u>PAYEES</u>		
	<u>U.S.</u> <u>Gov.</u>	<u>Other</u> <u>Govs.</u>	<u>Total</u> <u>Govs.</u>	<u>Other</u> <u>Payees</u>	<u>Total</u> <u>Obligations</u>
1. Rotation of Units .	2,196	636	2,832	37	2,869
2. Airlift . . . . .	2,033	1,624	3,657	1,126	4,783
3. Rations . . . . .	—	363	363	29	392
4. Supplies & Services	122	581	703	145	848
5. Transport & Misc. Equipment . . . . .	6	566	572	20	592
6. Aircraft . . . . .	—	—	—	—	—
7. Reimbursement of Extra Costs for Troop Contributions					
a. Pay & Allowance .	—	4,545	4,545	—	4,545
b. Equipment . . .	—	6,326	6,326	—	6,326
8. Other Accounts . .	<u>220</u>	<u>1,181</u>	<u>1,401</u>	<u>3,228</u>	<u>4,629</u>
<u>Total</u>	4,577	15,822	20,399	4,585	24,984

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